

Trade
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AN
ESSAY
ON THE
Origin, Progress and Establishment
OF
NATIONAL SOCIETY;

IN WHICH

The Principles of Government, the Definitions of
physical, moral, civil, and religious Liberty, contained
in Dr. PRICE's Observations, &c. are fairly examined
and fully refuted :

TOGETHER WITH

A Justification of the Legislature, in reducing America
to Obedience by Force.

To which is added

A N A P P E N D I X

ON THE

Excellent and admirable in MR. BURKE's
second printed Speech of the 22d of March, 1775.

Submit yourselves to every ordinance of man for the Lord's sake,
whether it be to the king as supreme, or unto governors, as unto
them that are sent by him for the punishment of *evil-doers*, and
for the praise of them that do well, as *free* and *not* using your li-
berty as a *cloak of maliciousness*, but as the *servants of God*.

First Epistle of St. Peter, ch. 2.

Qui captat risus hominum, famamque dicacis;

Fingere quæ non visa potest ;---

----- hic niger est, hunc tu romane caveto.

Horat. L. 1. sat 4.

By J. SHEBBEARE, M. D.

L O N D O N :

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M DCC. LXXVI.

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AN
E S S A Y

ON THE

Original Position of the

NATIONAL SOCIETY

IN AMERICA

The Executive of Government, the Dominion of
the National Society, and the National Society
of the National Society, and the National Society
of the National Society, and the National Society

OF THE NATIONAL SOCIETY

A National Society of the National Society, and the National Society
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Origin, Progress and Establishment
OF
NATIONAL SOCIETY, &c.

SECTION I.

Of Physical Liberty.

THE colonists in *America*, and their confederates in *Great Britain*, being fairly driven from the ground which they first assumed for their vindication of rebellion; and conscious that the crown cannot constitutionally possess a right, by charter, to establish communities of British subjects, independent of the national legislature, to which the king himself is subject, do, nevertheless, pertinaciously persist in their unnatural opposition to that supreme authority. Dr. Price, therefore, steady to the *good old cause* of his presbyterian ancestors, revived and fostered by the fanatics in New England, steps forth, the avowed and strenuous champion of their rebellion.

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In speaking of the present war, between this kingdom and her colonies, P. 32, "he begs that it may be attended to, that he has chosen to try this question by the general principles of civil liberty, and not by the practice of former times, or by the charters granted to the colonies. But he wishes to have the question brought to a higher test and surer issue. The question, with all liberal enquirers, ought to be, not what jurisdiction over them *precedents, statutes, and charters* give; but reason and equity, and the rights of humanity give. This is, in truth, a question which no kingdom has ever before had occasion to agitate. The case of a free country branching itself out in the manner Britain has done, and sending to a distant world colonies, which have there from small beginnings, and under free constitutions, of their own, increased and formed a body of powerful states, likely soon to become superior to the parent state. This is a case which is new in the history of mankind, and it is extremely improper to judge of it by the rules of narrow and partial policy, or to consider it on any other ground than the general one of reason and justice."

On this ground I propose to meet Dr. Price. The question shall again be brought to this *higher test*: when, from a comparison between his sentiments and mine, a still surer issue may result, whether *reason and equity* and the rights of humanity can support his principles of civil liberty, or whether they give to the supreme legislature of this nation a right of resisting it by arms.

As Dr. Price affects to deduce his arguments from those principles which alone, in his opinion, can form the true foundation of all just government, and from thence to establish a plenary justification of the *American* revolt, he says, P. 2. "In order to obtain a more distinct and accurate view of liberty, as such, it will be useful to consider it under the four following general divisions. First *physical* liberty.—Secondly *moral* liberty.—Thirdly *religious* liberty—and fourthly *civil* liberty. These heads comprehend under them all the different kinds of liberty, and he has placed civil liberty last, because he means to apply to it all he shall say of the other kinds of liberty."

Such

Such being the Doctor's divisions of liberty, he proceeds to give a definition of each of them. As I mean not superficially to treat the subject contained in his observations, and as he, professedly, intends "to apply to *civil* liberty all he shall say of the other kinds," it becomes expedient that these definitions be not inattentively examined. And, if the result of this disquisition shall prove them to be erroneous, impracticable and subversive of the ends of *national* society, as they, confessedly, include the principles on which he grounds his justification of the American resistance, there can exist but little reason *piecemeal* to demolish that edifice which he has thereon erected. The foundation being sapped, the *whole* fabric necessarily tumbles into ruin. To effect that end shall be the endeavour of this enquiry.

"By physical liberty," p. 3, "he means that principle of *spontaneity* or *self-determination*, which constitutes us agents, or which gives us a command over our actions, rendering them properly *our own*, and not the effects of the operation of any foreign cause:" and, p. 4, "in all these cases" (the four divisions of liberty) "there is a force, which stands in opposition to the agent's *own* will, which, as far as it operates, produces *servitude* in the first case" (physical liberty). "This force is incompatible with the very idea of voluntary motion, and the subject of it is a mere instrument, which never *acts*, but is always *acted upon*."

In order to determine the *justness* and *precision* of this definition, so peremptorily laid down, Dr. Price should have previously explained the ends of man's existence: the situation in which he is placed, not only respecting those of his own species, but of all other beings, whether they be animal or vegetable, and the earth itself. At the same time, ought he not to have delineated the faculties, both mental and corporeal, of that *being* who enjoys this *physical* liberty? On the contrary, he has considered his definitions as *self-evident* axioms, and thereon, as indisputable truths, erected his observations and doctrine of the antecedent liberties. The truth of these definitions, and the existence of such liberties, so described, I shall presume to examine. To that intent, it becomes requisite to analyse the human mind into its

more distinctive faculties, and to enquire into the motives and modes of their operations. For, without the previous knowledge of the human powers, by what means can the *physical* liberty of man be defined or determined. And without knowing the situation in which he stands, respecting the objects abovementioned, in what manner can his *rights* be ascertained?

I will, therefore, first, consider him in that which is generally supposed to be his primæval state, before the earth, and all that it produces and sustains, were divided, and became the specific property of individuals and of nations, as an isolated *being*; totally unassociated with all others of his race; and absolutely dependent on the exertion of his own peculiar faculties, for the acquiring of all such objects, as are, by *nature*, made indispensibly requisite to the ends and existence of such a creature. In proceeding from this primordial state, I shall endeavour to shew the origin, progression and establishment of *national society*, and consequently the nature of *moral, civil, and religious liberty*.

The obvious and primary division of man is into a sentient and material *principle*. Without entering into a circumstantial detail of all his faculties, either mental or corporeal, I shall, at present, only consider him in a partial view; as a *being* endowed with *sense, sensation, and appetite*, together with the bodily powers of locomotion, and of performing others obedient to the *will*. By *sense* I mean the intuitive power of seeing, hearing, smelling, tasting, feeling, which arises from the different organization of the parts appropriated to these several offices. By these the intelligence of external things is conveyed to the mind; and by these it is taught, not only to distinguish one object from another, but the different qualities and degrees of all, as they respectively appertain to each *sense*;—by *sensation*, that power of perceiving *pleasure and pain*, which, in some degree, from the least to the greatest, is united with every idea imparted by the *senses*. By these mankind are admonished to select that which is beneficial, and to avoid that which is prejudicial to the ends of their being formed.—By *appetite*, I mean that instinctive emotion, which is subsequent of pleasurable and painful

painful *sensation*, which urges us to *will* and to obtain the agreeable, and to avert the noxious, by the exertion of all our faculties.

It will hardly be denied, that man, by nature, is born to *live*, and *procreate*; and that he has an indisputable *right* to those *means* by which these ends are to be obtained. Or that he enjoys a *physical* liberty of exerting his faculties, to the attainment of such objects as are necessary to *self-preservation* and the *perpetuating* of his race; not only in common with all other men; but in contradistinction and *preference* of *self* to all other beings, in all instances where *either* of them *cannot* be obtained, but by that *preference*. Yet, such is the state of human-kind, that, notwithstanding *nature* hath bestowed on all men these *faculties* and *rights*, the *former* are, nevertheless, by her unerring decrees, circumscribed in their energy and operation, not only respecting man, as he stands in relation to all other productions, but comparatively, also, with others of his own kind: and the *latter* are not attainable by every individual of the race. As these objects are such as cannot be at all times acquired, nor preserved, when gotten, by the utmost exertion of the faculties of a single man, whatever may be the energy of *volition*, does it not irresistibly follow, from Dr. Price's definition of *physical* liberty, that in all such events, proceeding from actions of *spontaneity*, or *self-determination*, which constitutes an *agent*, his *will* is effectually opposed; and, by that *force* or *impossibility*, that the agent himself is placed in a state of *servitude*. Man, therefore, in every circumstance wherein that *force* prevails against his *will*, is, by *nature*, formed a *slave*: and, consequently, in all such cases, he can have no *claim* to *physical* liberty. Unless he can, by *nature*, be entitled to enjoy that, which, by the *laws* of nature, he has *not* powers to acquire and retain. In what a multiplicity of instances will Dr. Price's *freeman*, then, be found to be enslaved! is man enabled to *foresee* the issues of his own intents and transactions; whether he shall prove successful in his search of sustenance; in the retention of what he has acquired; or the preservation of himself from death and injury? and yet, in all these circumstances and innumerable others, in which he *wills* to know the

events of his endeavours, and is utterly unable, is he not reduced to *servitude*? in like manner, because he is incapable of seeing in the dark, or objects very remote; of hearing sounds beyond certain distances and below some degrees; of tasting what is not offered to his palate; or has no flavour; of smelling inodorous things, and of feeling what he does not touch; all which he may *will*, does that *force*, instituted by *nature*, which opposes this *will*, deprive him of *physical* liberty? if it do, *nature* deprives him of what she *never* gave, and I leave to Dr. Price the reconciliation of that contradiction.

Because, by all possible endeavours, no man can extend his arm beyond its length, in order to reach that food which is otherwise unattainable, and which he *wills* to have; nor move his feet with the celerity of a greyhound, to catch the animal he *wills* to possess; because the bird, he *wills* to catch, escapes his hand, and he cannot fly and seize it, like the falcon in the air; because the fish he *wills* to take eludes his grasp, and he cannot dive, like the otter, to seize his prey; because he cannot ascend inaccessible eminences, to gather the fruits which grow thereon, and he *wills* to have; descend perpendicular precipices, to avoid the tyger, which he *wills* to escape; nor obtain the food he *wills* to eat, without labour; in all these acts of *spontaneity* and *self-determination*, wherein the agent's *will* is opposed by *force*, is he not reduced to *servitude*? and, as *servitude* implies a master, is he not the slave of brutes, fowls, fish, mountains and precipices? but can man be deprived of his *physical* liberty, by not obtaining his *will* in those acts, which, by the *institutes* of *nature*, he is incapacitated to accomplish? as the *rights* of humanity are founded on the *necessity* of acquiring what is requisite for the *ends* of man's *existence*, so his *physical* liberty is founded on what his faculties can perform: and not on what he may spontaneously self determine, and *will* to have. The force, therefore, which opposes the agent's *will*, can, in no sense, render him a *slave*; because, to be reduced to *servitude* is to fall from that condition to which, by nature, man is born.

With a view more explicitly to discover, whether *physical* liberty do really consist in the agent's being unopposed by

by force in acts of *self-determination*, for the attainment of his *will*, let me adduce examples of what must frequently have happened in the primeval state of human-kind. It has been previously observ'd, that *nature* hath given to man an indisputable right to all things which may sustain and preserve his *life*, in preference to *that* of all other beings; and, consequently, a *physical* liberty of exerting his powers, as far as they can extend, to the accomplishment of that purpose, whether it be in acquiring aliment or averting injuries. But, as men are unequal in degrees of intellect, courage and strength, there must, necessarily, exist one, or a few such human beings, that is singly superior to any other, who may be, individually, opposed to him: one of these superior man, suppose, hath acquired a sufficiency of food for a days subsistence: and one of the inferior has proved unsuccessful in his endeavours. Should the latter *self-determine*, *will*, and attempt to take from the former that which he possesses, will not he, who exceeds in excellence, *will* and endeavour, also to preserve it? In this instance, each of them is actuated by *spontaneity* or *self-determination*: and according to the institutes of *nature*, which have decreed, that every man has a *right* to preserve his own life in preference to that of every other's. But, if he who *wills* to dispossess the other be frustrated by the superior force of him who *wills* to retain what he has gotten, has the former lost his *physical* liberty, because his faculties are inadequate to his *will* or *self-determination*? and, if he hath, was he not, by the unerring and universal laws of *nature*, which originally pronounced that a *less* should invariably submit to a *greater* force, born to *servitude*? Are not all men, therefore, whose *wills* are opposed and conquered in their contentions, as *physical* slaves as *Free-men*? hence, is it not evident, that the most exalted in mental and corporeal faculties are the only human beings who can enjoy Dr. Price's *physical* liberty in perfection. Because they alone, in opposition to the force of every other man, can carry the purposes of their *wills* into certain execution. In consequence of the preceding state of the effects which originate from the inequality of men's abilities, does it not necessarily result that, in proportion as individuals approach to the highest excel-

lence of human attributes, every one, the most excellent excepted, is, in degrees proportioned to his abilities, not only a *freeman*, but a *sovereign*, respecting those below, and a *slave* respecting those above him? according to the principles of Dr. Price, in P. 35, "if any part of a man's property is subject to the discretion of another the *whole* must be so;" those therefore who are at the discretion of others, to impose on them what conditions they please, are in an absolute state of slavery. And every man, but the most powerful is by *nature* doomed to be a *slave*. Because he, alone, is endowed with that principle of *spontaneity* or *self-determination*, which constitutes an agent, and gives him powers to follow his own will, who is superior to all that *force*, which can stand in opposition to it, proceeding from the *will* of every other man. Such being the issue of this enquiry into *freedom* and *servitude*, as they are established by *nature*, where the will of one person is opposed, by *force*, to that of another, let me now examine, whether effecting the acts of *volition*, where no force opposes it, be, in all instances, consistent with *physical* liberty.

It will hardly be opposed, that *physical* liberty cannot extend beyond the *ends*, for which man, by nature, was created. Every act, therefore, which exceeds those ends, is not an exertion of *physical* or *natural* liberty, but a *violation* of her laws. It cannot consist of an *independence* on the decrees of *nature*, but of acting in conformity therewith. It has been already said, that every man, who stands in immediate necessity, hath a right, in preference of self-preservation, to exert his superior powers against every other, in order to obtain that aliment, without which he cannot live. But has he, on that account, a right to deprive him of *more* than what will suffice, untill he can acquire sustenance by his own efforts; because the other, conscious of the inefficacy of his abilities opposes no *force* to the *will* of that invader. The present preservation of *life* being all that is requisite, and he who is dispossessed of his whole, being, by nature entitled to *live* equally with the other, is such an exertion of *spontaneity* and *will*, by the latter in consequence of his superior powers being unopposed by *force*, an act of *physical* liberty?

If an individual of each sex be united, by the attractives of appetite, in preference of each other to all the human race, and another man *spontaneously* self-determine to enjoy the woman, should he, in order to accomplish his *will*, without being opposed by *force*, put the former to death, and possess what he desired, has he not exceeded the limits of *physical* liberty?

If a man shall spontaneously self-determine to commit the execrable deed of *pædérasty* or *bestiality*, and his *will* should be unopposed by *force*, in either instance do the *spontaneity*, and *want* of *force* to resist, convert these heinous transgressions of the laws of *nature* into acts of *physical* liberty? and if the boy should resist, and the beast kick and disappoint his unnatural lust, will these *forces* opposed to his will, reduce him to *servitude*?

In reality, is not the Doctor most egregiously mistaken in his notions, both of *physical* liberty and of *servitude*? the former consists *not* in acts proceeding from *spontaneity*, or *self-determination*, nor of the agent's doing what he *wills*; but in a *permission* to execute that to which, by *nature*, he was decreed, according to the ends for which all men were created. Nor does *servitude* consist in being opposed in acts of *volition*, by a superior *force*. But in being compelled to submit to such things as, by *nature*, they have a right to resist. That this is a just definition of *servitude*, I appeal to old Milton, an apostolical republican, to whose judgement neither Dr. Price nor rebellion itself can have any thing to oppose:

*Unjustly, thou deprav'st it with the name
Of servitude, to serve whom God ordains
Or Nature.*

If the operations of the mind be strictly attended to, it will manifestly appear, that the *will* is no more connected with actions which originate from *spontaneity* and *self-determination*, than with those which spring from the *force* of *foreign* causes. In every act, of every kind, *self-determination* and the *will* must necessarily precede its beginning, without which a man must eternally remain as immoveable as an *automaton*, actuated by the mechanical powers of involuntary motion only. *Volition*, therefore, being

being indispensibly antecedent to every act of *servitude* as well as of *freedom*, *physical* liberty cannot consist in acting in conformity to the *will*, but according to the several degrees of *natural* powers which are given to individuals; and the application of them to those ends, for which, by *nature*, they were formed. Reason, therefore, does positively pronounce, that *physical* liberty consists not in acts consecutive of the *will*, proceeding from *spontaneity* or *self-determination*: nor *servitude* in those proceeding from a *foreign cause* or *force*, which opposes that *will*: but that, whilst all men proceed according to the relative faculties which were given them, and to the ends for which they were formed, they enjoy all those rights, to which, by *nature*, they are entitled, and that this alone is *physical* liberty.

Repugnant as it may seem to Dr. *Price's* principles, I am under little doubt that it will be shewn, in the subsequent pages, that this very *force*, which operates against the agent's *will*, and reduces men to *servitude*, is the sole fountain from which both *moral*, *civil* and *religious* liberty have emanated; the stream by which they are still watered and kept in vigour; and without which human-kind would have remained in one continued state of war, embittered with tyranny and enslavement. And, could this *servitude* be annihilated, they would inevitably return to that deplorable condition:

SECTION II.

Of moral liberty.

BEFORE I proceed to examine the justness and precision of Dr. *Price's* definition of *moral* liberty, it seems requisite to give a more general, though succinct description of our mental faculties. Besides those of sense, sensation and appetite, which are already mentioned in the preceding section, there remain passion, memory, imagination, faith and reason.—By passion I mean that emotion of the soul, which is inseparably connected,

ected, in different degrees, with every *sensation* of *pleasure* and of *pain*, from the slightest *liking* to the strongest *love*, from the most minute *aversion* to the most violent *hatred*. Into these, almost all the others may be resolved: as they differ more in the nature of their *objects*, than in that of the *emotion*, from the former of which they receive their different appellations. *Hope* and *fear* are, indeed, common to all the other passions. Because the possession of every pleasing object unenjoyed, may be *hoped*, and to be retained when gotten; and the unattainment of it when remote, and the loss of it after possession may be *feared*. In like manner, every displeasing object, at a distance may be *hoped* never to arrive; and to be removed when *present*; and *feared* that it *will* come and *never* will desert us.

With every passion there is uniformly connected an exertion, which is called *desire*. We desire to obtain and possess what we *love* and *hope*, to avoid and be freed from what we *hate* and *fear*. And that *desire* does, *necessarily*, precede and influence the mind of man, in every act which he wills to undertake or to relinquish; and this in proportion to the degrees of strength of that passion by which he is actuated.—By *memory*, I mean the retention of the ideas and perceptions, acquired by the senses, sensation, reflexion, and other acts of the intellect;—by *imagination*, the power of recalling those ideas and perceptions, combining and disposing of them in all the various modes in which they can be arranged;—by *faith*, a persuasion of *things*, *actions* and *events*, not present to the senses, not proved, or not consentaneous with the common course of nature;—by *reason*, that *faculty* which, analyzing and comparing ideas, by whatever means they are brought to the *sentient* principle, derives from them such *inferences* and *conclusions*, as, consecutively arise therefrom; and which are received as *truths* by the *reasoner*.

Morality is that relation in which men stand in society, with respect to their actions, considered as beneficial or injurious; not only to one another, as individuals, but also to the whole community. It seems expedient therefore to shew in what manner, by the human faculties operating in obedience to the *laws* of *nature*, as explained
in

in the preceding section, individuals were, originally, brought into union: and, by their mutual intercourse, gave rise to the distinction of *moral* and *immoral* acts, and of *liberty* under the denomination of *moral*.

In all gregarious animals, more especially in man, there instinctively exists a kind of *secondary self-love*, which induces them to unite, in preference to any association with others of different kinds and species; as well as a *sympathetic* attraction, by which, without the least assignable cause, it frequently happens, that two or more of them are more intimately associated than the rest. This appears to be a truth so self-evident to the least discernment, that it seems to be incapable of being controverted. From this innate principle, should a number of the human race, each of whom had never beheld another of his own species, accidentally be brought within sight of each other, the semblance of shape, colour and voice would as naturally awaken the emotions of this *secondary self-love*, as seeds shoot forth by the genial heat of the sun, and urge them to move forwards, to meet and to remain in that state. * But the pleasure, arising from the satisfaction of this desire will, by no means, prevail over the *emotions* originating from the *primary self-love*, in consequence of which every animal *being* prefers his own *life, ease and safety* to those of all others. Every individual, in like manner as before their assembling, will still continue to exert his own faculties, in order to obtain his daily sustenance, in preference to all others; and, on some occasions, be disappointed. If he, then, who has gotten *no* food, be of superior abilities to him who has, and it be not otherwise attainable: he will, as in his isolated state, by *force*, deprive

* I am sensible that Montesquieu and I. I. Rousseau have represented man as a timid animal, trembling and flying from all he sees of his own species, and they draw this opinion from the instance of that savage, who was found in the woods of *Hanover*, and some others. But the inference drawn from thence is, manifestly, a fallacy. Neither of those savages had ever seen a human being *naked*, like himself. By them, hats, wigs and clothes must be considered, not as *coverings*, but as *parts* of the animal. It can be no proof, therefore, because they fled from men so disguised, that they would not have approached them, had they been seen as they are in nature.

prive the possessor of it. Such violence being thus committed, according to the *natural* formation of the mind, there instantly arises, in the bosom of him who has been dispossessed, the passion of anger; and, consequently, a *desire*, not only of resuming what had been forced from him, but vindictively to inflict some painful sensation on the aggressor: or even death, in order to prevent himself from being treated in a like manner for the future. But, altho' the abilities of the *violated* be inferior to those of the *violator*, the former, nevertheless desiring resumption and vengeance, conscious of his own inferior powers, will apply to a third person, whom *sympathy*, *compassion*, or *hopes* of receiving a *reciprocal* assistance, *resentment* for a *similar* treatment, or *fearing* soon to receive it from the same aggressor, induces to aid him in executing his resolves. By the superior *force*, arising from the union of their abilities, whether the food which had been taken be resumed or not, some bodily pain, if not death, will certainly be inflicted on the aggressor. He, in his turn, if he survive the infliction, in like manner animated with resentment, and a vindictive spirit, will seek some other person, by whose assistance, their powers may become superior to those of the *first* pair, that he may thereby satisfy his *desire* of revenge.

The *first* pair, being now become inferior to the *second*, must either yield to their superiority, or seek an additional aid. This being acquired, they once more gain the ascendant. When actuated by like motives, the *second* proceed in the like way, to obtain the same ends. In this manner, two men originally endeavouring to exceed each other in force, by the adventitious powers of many united into one association, to the same purpose; it at length results, that those, who had met together by the impulse of the *secondary* self-love, are, by that of the *primary*, separated into distinct tribes. The individuals of these, being conjoined by one common interest, and conscious that the preservation of every single person depends on the powers of all, *self-love* extends itself through the whole number, in preference of their particular tribe to every other. Each tribe, being actuated by the same dispositions, and entitled to the like rights which nature gave to the *single* man, it follows, that the same causes

causes of dissention arise between two tribes, which had formerly originated between two individuals. Each tribe becomes animated by similar emotions, and to like pursuits, with those which first operated to their association, and each association, excited by the desire of self-preservation, is engaged in hostilities. Such being the case, each tribe, like the single man, seeks the assistance of another tribe, which, for like reasons, unites with it. In this manner, as, by the *law* of nature, men, from individuals, became tribes; tribes became nations; each tribe still preserving a preference of itself to that of all others in their own nation; and of their own nation in preference to all others. In this manner, from principles implanted in the human mind, each individual is as *naturally* impelled into union with others, to form *one* body of society; as, from the *seminal* principle in the womb, each particle is impelled to unite and form the body of *one* man.

Although I have derived the origin and progress of social union from those passions and desires which inevitably spring from the deprivation of *sustenance*, the effects will be exactly similar, in every instance wherein one man violates the possessions of another; whether it be the woman he loves, the bows, arrows, club or other things, which tend to expedite his acquiring food or averting injury.

Were the several persons, thus associated into tribes and nations for mutual safety, so intimately connected, that they felt the energies of pleasure and of pain for the community, with sensibility equal to that with which the sensation of an individual is affected, every man would as inevitably exert himself in the acquisition of pleasurable objects, and in averting painful for the community as for himself. But, as, in the same tribe, one man may *enjoy* a pleasure and *undergo* a pain, which affects no other. As the food, which satisfies the hunger of one, will yield no sustenance to another. Nor the possessions of the former supply the wants of the latter. It inevitably follows that, notwithstanding this preference of each tribe and nation to all others, every individual still carries into each society, and inseparably retains, a preference of *self* to all others. And as, in all

all the antecedent instances, before association, wherein superior *force* has been exerted, to supply the wants of the invader, the like cases will produce the like *emotions*, *actions* and *events*, and, consequently, individuals entering into quarrels, each nation and tribe become disunited, by the same instinctive motives which originally prevailed in separating the first assemblage of individual men.

But, by experience, it will be soon discovered, that the same causes, which induced them to associate into tribes and nations, if not controuled in their operations, must inevitably resolve them into individuals and reduce them to their primitive state. That *therein* the faculties of each man will be restored to their original importance, and the *less* be subjected to the *will* of the *more* powerful, and, consequently, the former be obliged, singly, to recur to the like means, by which they were first conjoined: and that in this manner, by a continued series of revolutions, in associating and separating, nothing can remain, of sufficient stability, on which to support the *rights* of the *weak* against the *strong*, by the agency and union of all. Such being the result of experience, *reason*, now, comes in aid to *self-love*, for the ends of *self-preservation*, distinguishing what men *ought* to do, as a community, from what they *will* to do, as individuals. And from thence there as *naturally* arises, from *reason*, a *rule* of action, for *numbers* in society, as *that*, from sense, sensation, and appetite, by which an individual is directed in his isolated state. In this manner originates the primary perception of *morality* and *justice*, which consist in every one's enjoying those *rights*, to which, by the laws of nature, he is entitled, and in being interdicted those *actions* which are injurious to national society.

Such being the origin of *moral* distinctions, let me now examine Dr. Price's definition of *moral* liberty. "*Moral* liberty," says he, "is the power of following, in all circumstances, our sense of right and wrong, or of acting according to our reflecting and moral principles, without being controuled by any arbitrary principles." And, p. 4, "In the second case," (*moral* liberty) "the *force*, which stands in opposition to the agent's own *will*, and which, as far as it operates, produces *servitude*,"

“ *vitute*, is the influence of passion getting the better of
 “ reason, or the *brute* overpowering and conquering
 “ the man.

Does not this compound of *brute* and *man*, in the human *soul*, constitute an extravagant conception, and form a singular part of the preceding definition? a *spiritual* centaur, equally fabulous with the *corporeal*. With this difference, that the *beast* forms the *upper* part of Dr. Price's, as the human does in that of the ancients. But, as nature has formed no such being as the corporeal, it shall soon be shewn, that she has not been the creator of the latter. And that Dr. Price, like other fabulists, hath begotten this intellectual monster, to carry his principles and to educate his patriotic pupils, as Chiron bore Achilles on his back, and taught him to ride. If man, however, be formed of these two incongruous parts, such he came from the hands of nature, and was therefore destined to be a *slave*. Since in every act, in which *passion* gets the better of *reason*, he is reduced to *servitude*, the degrees of *freedom* and *slavery* of such an animal cannot otherwise be ascertained, than by a comparative view of those acts in which *reason* and *passion* respectively prevail. Whether he will then be found to be, by nature, more a *freeman* than a *slave*, I leave to those who have examined the actions of themselves and others with an unprejudiced and impartial attention.

If Dr. Price mean, by “ a *sense* of right and wrong,” an innate sense, which *instinctively* discerns the *rectitude* and *pravity* of human actions, and has been usually called a *moral* sense, I am apprehensive that, like many others of visionary conception, he relies on a *sense* that has no existence. It hath been already shewn, that the idea of *morality* arises from that experience which is derived from observation on the proceedings of men associated into communities. For to expect *morality* should be known before these actions exist, which create the perception of it, is to expect the solar light before sunrise. Can that knowledge, which is *experimentally* acquired, be the result of *intuitive* discernment?

Let this be elucidated by the manner in which the perception of *distance*, in place, becomes cognizable by the *eye* and *ear*. It is a self-evident truth that, were an
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infant to remain in the situation in which he was born until he grows to manhood, without the exercise of his limbs and locomotive powers, he would be unable to judge, either by the eye or ear, of the distance in which things were placed, respecting himself and one another. For, without his having moved over successive parts of *space*, by what means could the idea of distance be conceived? all the information that the eye could afford him would be, that objects of one colour were more vivid than others of the same or different colours; that those of different sizes, and of the same or different shapes, were some bigger than the rest. The ear, also, would distinguish the difference of sounds, and each of them only as they were more or less loud. But, should this person, at length, move from the spot to which he had hitherto been confined, he would experimentally, at first, discover, by the effects of locomotion, the idea of space. At the same time observing, that the objects of a more vivid and stronger colour and of larger size, and those of louder sound, were approached with less footsteps, or in less time, than those of the same kind, which appeared more faint and less, he would, at length, acquire, by *practice*, *comparison*, and *reflexion* on what he saw and heard, an idea of the respective distances between himself and other objects: and henceforth determine of their remoteness and proximity, by the different appearances which they offered to vision and to hearing. But will it thence result, that distance is primarily an object of intuitive discernment by the eye and ear, because, after a long exercise of the preceding *senses*, we can instantly decide of *distance* by their immediate discernment?

In like manner, by sensation, we are taught the distinctions and degrees of pleasure and of pain, consequently the passions which from thence originate, and those actions which are productive of them. By reflecting, also, on the nature of society, it is discovered, that the welfare of *all* depends on the welfare and security of *every* single person; and, therefore, that *all* men are equally entitled to the attainment of all things pleasing, and to be preserved from *all* that are injurious. Hence results the idea of that which *ought* and that which *ought not* to be permitted in society. But, when these distinctions are once

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obtained, and are instantly discerned by *habitude* on subsequent occasions, are they, therefore, the objects of a *sense* that intuitively discerns the *right* and *wrong* which they include?

What would be the effect, if every man were indulged in the power of following, in all circumstances, "his *sense* of right and wrong, or of acting in conformity to his reflecting and moral principles, without being controuled by any contrary principles?" this will be the most effectually determined, by the multiplicity of bars, bolts, locks, strong holds, penal laws, courts of justice, prisons, axes, halters, and other means of corporal punishment, which are, at present, so necessary to be brought in aid to the operations of this moral *sense*, and, hitherto, so ineffectually applied. Can *moral* liberty, therefore, consist in a right of following, in all circumstances, the dictates of that *sense*, uncontrouled by any contrary principles? does it not, manifestly, consist in a *permission* to follow the universal conviction of that which is right and wrong which has *practically* arisen from observation and reflexion on the actions of the whole community, as they are either beneficial or injurious? and that, as *morality* is inconsistent with *ill* deeds, *moral* liberty can never extend to a permission of individuals acting according to their *own* sense of *right* and *wrong*? but, from Dr. Price's principles, and definition of *that* liberty, it results that, by all the antecedent preventives, which, by *force*, oppose the agent's *will*, he is reduced to be a *slave*; because he is thereby controuled, by contrary principles, from following his sense of *right* and *wrong*, hence, every salutary inhibition of pernicious deeds becomes a violation of *moral* liberty.

But is it not a new discovery, or an egregious error, in this doctor, that *passion* is a *brutal* faculty, and subversive of morality: since without *desire*, proceeding from *passion*, as it has been previously explained, man would be *no* agent, and, consequently, no moral *being*? for, unless *desire* precede the *will* in all human transactions, men will eternally remain in the same place, like clocks, actuated only by the mechanical powers of involuntary motion. *Moral* liberty, therefore, can either exist without a *voluntary* agent; or the *brute* is necessary to create
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in man, not only *moral liberty*, but *morality* itself. I conclude, therefore, that nature was as *discerning*, in the conformation of her creatures, as Dr. Price is in his attempts to discover it; that, without passion, it would prove impossible to institute a society; and that the union, of what Dr. Price denominates the *brute*, with *reason* constitutes the superiority of man to other animals. But by what observation on the human mind has the Doctor discovered, that, "when passion gets the better of reason, it is a *force* that *overpowers* and *conquers* the agent's *own will*?" it has, hitherto, been the universal opinion that, in all instances of *passion* prevailing over *reason*, the passion hath not *overpowered*, but *created* the *will*. If one man rob, murder, or otherwise injuriously treat another; if he commit pæderasty or bestiality; if he forswear himself, commit adultery, spread a general conflagration, *burn his own bonds*, in order to evade the obligation of payment; in all these actions, *passion* does, indeed, get the better of *reason*, but is it, therefore, a *force*, which overpowers and conquers the *will* of the agent; and reduces the commission of all these execrable crimes to *involuntary* acts? for all these enormities, according to Dr. Price's definition, must have been *unwilful*. The perpetrators of them, therefore, must have been as *guiltless* of *immoral* deeds, as a *weight* falling from above, or the casual stroke of an instrument, which deprives a man of life. Surely this is a doctrine new, and unknown by all preceding moralists. Ah! what a lamentable thing it is, that the discovery of it should have been so long deferred! what millions of innocents have been doomed to ignominious deaths, by those cruel *Herods*, the judges of all nations, as having *wilfully* committed all the abominable crimes above recited, and millions of others, which Dr. Price hath now discovered to have been *unwilfully* done and, therefore, as no man ought to be responsible for committing what he is *forced* to do, because "*he is a mere passive instrument*," it was murder, and not condign punishment to which they were sentenced. But let us not be drowned in sorrow for the untimely deaths of those *innocent* murderers, robbers and other perpetrators of such *unwilful* deeds. Let us sing *Te Deum*, and rejoice, that Richard Price, D. D. F. R. S. was born, who has

so graciously bestowed on man a new *revelation* of morality, which, contrary to that of the *christian*, comes *not* to fulfil the *law*, but to *destroy* it. Could the patriots, in the houses of Lords and Commons, establish this doctrine by *statute*, what numbers of their friends would owe either their *lives* or *properties* to such a *moral law* ! must not both the *old* and *new* Newgate be let to other purposes, than that of immuring such innocents as murderers, thieves and other felons ; because, being compelled *against* their *wills* to commit such felonies, they have been guilty of no crime ? and shall the *innocent* be imprisoned, after Dr. Price hath vouchsafed to reveal a doctrine so indubitably founded on *moral* principles : and so requisite to support the definition of *his moral liberty* ?

I remember to have seen a book, called the *New Whole Duty of Man*, adapted to the present times, as the *Old Whole Duty* was to the former. I imagine that Dr. Price hath taken the hint, and *calculated* his *new* definition of *moral liberty* in the preceding manner ; because it is perfectly adapted to the *present* patriots, as the old one was to the *former*. Let us, therefore, laud and magnify the common-council of the great city of London, who, with such propriety, have so gratefully rewarded, with gold and freedom, the discoverer of this blessing to mankind, that murders and all other crimes are *not* immoral acts, because they are included in the Doctor's definition of *moral liberty* ; and therefore are incognizable by law, and cannot be justly punished, because they are perpetrated by brutal *force* overpowering the *will* of the agent. Can it be doubted, from their *disinterested* zeal to serve the nation, that the patriots, who have been at the expence of printing and selling for Three-pence these inestimable observations of Dr. Price so righteously calculated to promote all due order and subordination among the subjects of this realm, animated with a genuine and Cosmopolitan spirit of liberty, will get this invaluable pamphlet of the Doctor's translated into all languages, and transmitted to all the nations of the known world, in order to teach them their duty, respecting *physical, moral, religious* and *civil liberty* ; that *his* and *their* names and principles may be as universally spread

as darkness beyond the polar circles in their winter seasons, and their merits be as equally diffused, as the stench of Acheron through all the infernal regions.

SECTION III.

Of Civil liberty.

NAtional societies being thus formed, the obligations to morality, or the manner in which men ought to behave respecting each other, are soon perceived to be inadequate to the preservation of their *natural* and *social* rights. From hence arises the necessity of instituting such positive ordinances, for the conduct of the whole community, as may most effectually contribute to create in each man, tribe and nation, the same sentiments respecting public and private conduct; in order to create, as much as possible, a *national* mind, if the expression may be allowed me; and, consequently, to produce an *unity of will*, in the exertion of their several faculties. In proportion as this *will* approaches to *universality* will be the *force* of those numbers, which are included in every nation.

The superiority which strength of intellect and strength of body possesses over an imbecility of either; the ascendancy which courage obtains above timidity, are now, not only restrained, by positive institutes, from being injuriously exerted against their compatriots: but are to be applied to the advancement of the national welfare; leaving to the individuals the full exercise and enjoyment of their several abilities, in all cases wherein the pursuits of private interest are unobstructive of the public good. This is what constitutes a *civil* government. And, as every man, in his *isolated* state, is, by the laws of nature, to be governed by the dictates of his own mind, in the acquisition of his wants and the preservation of his life, so in like manner, in his *associated* state, he is so far entitled to be governed by it, as the mind of one man is proportioned to those of the whole coalition. Every in-

dividual, therefore, possesses an indisputable right to deliver his sentiments, and to consent, or not, to whatever laws may be enacted, for the government of all. And, as, in the infancy of societies, a community consisted of no great number of persons; and the same extent of ground, which is now occupied by one nation, was, at that time, covered by many, assemblies, in which all might meet in the same place to the preceding purposes, were practicable with facility. While men remained in their primitive state of association and acquired sustenance by hunting, fishing and collecting the vegetable productions, few laws were necessary, to prevent the commission of injuries by one individual on another. Many of a tribe sought their food together. Whatever they acquired was, on their return, divided among the whole number. Property, then, consisted in the possession of very few things, and such as all might easily obtain by their own hands, without invading those which were possessed by others. And the labour which each man exerted in the making of them, constituted that *right* by which they were his specific property. Arrows, bows and, perhaps, some other instruments and utensils, which all could make; a hut, which every one could erect; skins, to cover their bodies; and each a female, constituted their chief possessions. In such states, the instituting of laws to prevent invasions of private property was useless; and, therefore, unpractised. Men were left to be governed by the institutes of nature, and the *passions*, ambition and shame, parts of the *brute* in Dr. Price's man, were, at once, the legislative and executive authority. To be a good huntsman, brave and alert in war, and to be skilful in attacking their enemies and defending themselves, were the excellencies to which they aspired, and these gave pre-eminence to one above another. He, therefore, who was most exalted in these qualifications, was most esteemed. And he, and all others, were *ashamed* not to exert their best abilities in the preceding instances, because a remissness of either quality was held in *contempt*. Than which nothing is more painful to the mind; or will be more industriously avoided.

In this earliest state of associated *beings*; and, indeed in all others, every thing that can afford them sustenance,
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and supply their wants, must, either mediately or immediately, be the production of the earth. And, as all are, by nature, entitled to the use of such requisites, they have, consequently, an undoubted claim to the soil itself. From this law of nature arises the idea and origin of all territorial property. But, when men were united into nations, it became expedient, in order to preclude, as much as possible, all causes of dissention from among them, that this earth should be divided into such distinct partitions, as might suffice to the occasions of a people, on which partitions all that lives or vegetables was to become the specific property of that nation by whom they were inhabited. Boundaries were, therefore, to be ascertained; that the extent of their territorial property might be known, beyond which they were not to pass, in search of those things which were requisite to their subsistence; because the adjoining district was already occupied by another people, to whom the soil and its productions appertained. Territorial, and all other property are, therefore, by nature, founded on that right, which all men and all nations have, to the use of all things by which they are to live and procreate; and on that of acquiring, by the exertion of their own faculties, the things which are necessary to those ends, without molestation or prejudice to other men and people.

As occasions must inevitably arrive, in which the respective boundaries would be passed, in search of food; and other causes of resentment originate; wars were the natural consequences of such transgressions and events. The right, therefore, which every individual naturally possessed, to prefer his own preservation and security to those of every other man, was now the right of the nation: and, therefore, that which had received the injury was entitled to retaliate on the aggressors. The desire of vengeance, and the attainment of a greater security were the motives to hostilities. And, as numbers alone could constitute the power of a nation, the only means by which vengeance might be satisfied, and safety more effectually established, were those of reducing the number of their enemies, or of augmenting that of themselves.

The laws therefore which are dictated by nature, in all such interesting cases, were strictly observed.

For this reason, and in this infancy of government, when prisoners were taken, they were generally put to death; and sometimes converted to the aliment of the victors. Because to feed the captives by the acquisitions of the conquerors would encrease the toil of the latter, and render them subservient to the vanquished; which is repugnant to every idea of superiority. To oblige them to acquire the sustenance of their *masters*, as it must be transacted in the woods, would have been little less than a *compulsion*; and to seek their *own*, a kind of *permission* to return to their native country. Of consequence, therefore, the original intention and ends of making war would have been frustrated, which were, to reduce the strength, and to diminish the number of their enemies.

But, as the augmenting of their own numbers was adequate to that of reducing those of their adversaries, the means of obtaining both these salutary ends were devised. To that intent, it was permitted to those, who had, in battle, lost either husbands, sons, brothers or other relations, to redeem the lives of a like number of captives, by adopting them into their places. The persons so preserved became so effectually conjoined with their conquerors, as to be equally confided in with safety. Such is the present policy and preservation of the Indians in America. In that state of nations, their polity can hardly be deemed to rise to that which is understood by *civil* government; and, consequently, *their* liberty is that of *nature* and of *custom*, or a mixture of *physical* and *moral*.

National assemblies, in this early state of association, are seldom convened to enact laws; but to consult on their huntings, the propriety of making war and peace, and the best methods of conducting both.

From a life sustained by the chase and by collecting the vegetable productions of an uncultivated soil, the natural transition is to that of pasturage and agriculture. In the former, the animals, most serviceable to the support of man by their milk and flesh, are tamed and appropriated to that end. In the latter, the plants, grain, seeds and fruits are encreased by cultivation, beyond their natural pro-

produce. As this advancement towards civilization requires a stronger coercion on the actions of individuals than the antecedent, I shall be more explicit in delineating the rise, progress and establishment of *civil* government. As the Germans, in the time of Tacitus, were precisely in this second stage of legislative progression: and because the constitution of this kingdom originated from thence, what I have to say shall be supported by the authority of those institutions, which are to be found in his Treatise, *De Moribus Germanorum*.*

In this state, the labour of taming horses, herds and flocks as naturally imparted property to those who had reduced them to that condition, as formerly to the beasts which they acquired by their toil in hunting. In consequence of this alteration, as the numbers of them might be unequal in the hands of the several possessors, belonging to the same tribe or association, and no man was entitled to, or wanted, a larger share of the vegetable productions than was necessary for the support of his animal property, it became requisite, that such portions of the earth should be allotted to each individual, as were sufficiently for the sustenance of those animals, and for the production of vegetable food. By these means the labour and produce of each man and his family were applied to the use of themselves alone; and no dissensions arose, from an inequality of consumption or of toil, between the different families, which would probably have been the effect, had every thing been left in common respecting land and labour. Hence originated the establishment of property in the soil, as appropriated to the particular use of individuals, apart from the community. But this property was, then, but *temporary* and *occasional*. For, as agriculture had received but small improvement, the tribes, or particular associations of the community were obliged, annually, to move from one spot of ground to another, in order to obtain fresh pasturage; and a greater plenty from the grain which was sown, than could be otherwise produced. On those occasions, of moving to new situations, the land was proportioned to the wants of each family; and those parts which were preferable to
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* Edit. Gronov. quarto.

the rest were distributed according to the esteem and authority of the individuals *; and thus *property* first became the *reward* of merit.

This improving state of national polity required the energy of positive institutes, to aid the feebleness of moral obligation; and to ascertain what should be permitted and what forbidden. Every man being to be governed by the laws which were to be enacted, had an equal and just right to be present in all national assemblies, in order to deliver his opinion, and to consent or dissent to what might be proposed. But, as *unanimity* of sentiment in a national assembly may be justly deemed among the *moral impossibilities*; and the administration of a state must constantly proceed; it became necessary that a *majority* of opinions should frame and constitute those laws by which *all* were to be governed. To these the minority were to be subject; for the same reason that a less strength in one man is, by the laws of nature, doomed to submit to a greater in another. Without this obedience to a majority of opinions, the national coalition would have been dissolved. The dissentient must either have seceded into a different country, or have taken arms in support of their opinions. As, in either of these events, the division would have lessened the strength of the whole, and the smaller part become not only a prey to the greater, but to other people, mutual interest, self-preservation and the laws of nature operating to the establishment of society, induced them to remain conjoined, and to acquiesce in the formation of those laws and obey their mandates. Hence, it is evident that, when Dr. Price asserts, p. 6. that "in every free state, every man is his *own* legislator," he asserts either that which is untrue, decides on things of which he is ignorant, or alters them with some more culpable design. For can that person, in the national assembly, contribute to the passing of that law which he by his vote endeavours to defeat, and is instituted in direct contradiction to his opinion and consent? may it not as truly be asserted, that a man *can be present* where he *is not*? nor can that nation be said to be free, in which the acts of legislature are passed by a majority of the people, if Dr.

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* Tacit. p. 409.

Price's assertion be true, that in "all these cases," one of which is *civil* liberty, "there is a *force* which stands opposed to the agent's *own* will, and which, as far as it operates, produces *servitude*." In this instance, the opinion of the majority is that *force* which stands in opposition to the *will* of the minority, and, consequently, no such thing as *civil* liberty can be enjoyed; or a *free* state may consist of *slaves*, in all but a bare majority, of one in twenty millions, and *civil* liberty, nevertheless, exist in that state.

But let me transcribe the Doctor's definition of *civil* liberty, that I may avoid the charge of mis-stating it. "Civil liberty" says he, p. 3 and 4, "is the power of a *civil* society, or *state*, to govern itself by its own discretion, or by laws of its own making, without being subject to any foreign discretion, or to the imposition of any extraneous will or power. In this case, it is any will, distinct from that of the majority of a community, which claims a power of making laws for it and disposing of its property, which is the *force* which stands in opposition to the agent's *own* will, and which, as far as it operates, produces *servitude*."

In all instances of enacting laws by a *majority* of the people, the Doctor will hardly deny that the *minority* are not governed according to their own discretion, or by laws of their own making; or that the *will* of the *minority*, who oppose that law, is distinct from that of the *majority*. The *majority* therefore is as much a *force*, that stands in opposition to the *will* of the *minority*, as the votes of the *minority* are a *force* which stands in opposition to the *will* of the *majority*. Suppose a state to consist of four millions of persons, and that a law be passed by the suffrages of two million and one person, and that it be opposed by two million, one excepted. The *majority* then, exceeds the *minority* by two persons. Is that state governed by its *own* discretion, where one half of the constituents, two persons excepted, are governed by laws made in direct opposition to their *discretion* and *consent*? can such a community, according to Dr. Price's definition, be in the enjoyment of *civil* liberty?

In his explanation of the preceding part, he tells you, that "it is any *will*, distinct from that of the majority, which, "in

"in this case, is the *force* that produces *servitude*." Hence it results, that the *force* of a *minority*, which operates, by its *distinct will*, against *that* of a *majority*, and *effects nothing*, does, nevertheless, produce *servitude* in that *majority*. And the *distinct will* of the *majority*, which operates against the *will* of the *minority*, and, by that *force*, compels them to be governed by laws passed in opposition to their consent and discretion, does, nevertheless, constitute *civil liberty*. Such are the absurdities and self-contradictions, into which men will fall, when they treat of subjects which they do not understand. Or form such spurious definitions of liberty, with intent to foster rebellion in one part of the British dominions, and to excite it in another.

But let me state a case, founded on the Doctor's definition of *civil liberty*, and ask his opinion. If to the people of England, assembled in national council, it should be proposed, that *all Englishmen of Presbyterian and democratic principles should be hanged, as enemies to the constitution of their country*, and it should be passed into a law, by the discretion of a great majority; would the *distinct will* of the *minority*, that opposed the law by which they are to be hanged, be a *force*, which, as far as it operates, is productive of *servitude*; or lessen the full efforts of *civil liberty*, by voting against their execution?

I imagine the Doctor is totally mistaken in his definition of *civil liberty*; for, according to him, that *liberty* does not consist in the *nature* of the laws by which men are governed, but in that of the government by which they are formed. If laws, that impart to the subjects the full enjoyment of those rights to which, by nature, they are entitled; and defend them from those who would treat them injuriously, be enacted by a Sovereign, or a certain number of men at the head of the community; would the *mode* of that legislature *change the nature* of things, and make that to be "a government of slavery," which preserved to all men their natural and social rights? Such is the consequence of the Doctor's distinction, that there cannot exist a law, made by the *majority* of a people, which can either *annihilate* or *abridge the civil liberty* of a nation; because that *civil liberty* solely consists in the power of making laws by such
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a majority; and all those, who, in a minority, oppose such laws as deprive them of their rights and properties, will operate to the production of *servitude*.

From hence, does it not clearly result; that, when Dr. Price asserts, that "liberty is imperfectly defined, "when it is said to be a government of laws, and not of men," he is either manifestly mistaken or wilfully misrepresents? The fact is, that liberty consists not in being governed either by laws or men, because all nations are so governed: but in being governed by *just* laws alone, whatever be the constitution of the state in which they are enacted. On what ground of *truth* does he then found his assertion, p. 7, "if the laws are made by one man, or a junto of men, in a state, and not by common consent, a government by them does not differ from slavery?" If the same effect be produced by one man, or a small number of men, that is usually the result of great numbers operating to the like end, does a difference of number in the *agents* produce a difference of *effect* in the *production*? Suppose a hundred men had been employed to *dye* a piece of cloth *blue*, and a like effect had been produced by *one* man, or a *small* number of men, would the difference of the number of men change the effect of the operation, and make that to be *black*, which would have been *blue*, if dyed by a whole community?

If laws, which permit and leave to the people the full enjoyment of their rights, be made by a *sovereign* and his *council*: and those, which rescind them from the exercise of those rights, be appointed by a *majority* of the community, are the subjects *enslaved* by *just* laws, because they are made in the *former* manner; and enjoying *freedom* under the influence of *unjust* laws, because they are made in the *latter*? and will it be "a contradiction in terms, "to say that, the state governed itself, wherein the laws "of *equity* were instituted by one man," in contradistinction to *inequitable* and *oppressive* laws, made by a majority of the people? As truly may it be asserted to be a contradiction in terms, to say that the food, which is given by *one* man to another, is *not* sustenance, because it is *not* given by a majority of the parish. Is it not, therefore, the laws alone, which can constitute *civil* liberty,

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and not the form of that government by which they are enacted?

Certainly, the *politics* of Dr. Price will not so far prevail over his piety, as to permit him to establish, as a part of government, in favour of *civil* liberty, that which, from his definition of *moral* liberty, will reduce "the agent to an instrument." Both these liberties, according to Dr. Price's definitions, cannot therefore, subsist in the same state: and yet, without opposing the Doctor's notion of *moral* liberty, and inflicting penalties on these *instruments*, the agents of pernicious deeds, neither *moral*, *civil*, nor *religious* liberty will long subsist.

Every man, by consenting to constitute an executive power over the tribe to which he appertains, resigns his right of ruling for himself: and, consequently, of following his *own* will, in all things which are to be performed by the tribal association. But, for that reason, he has an indubitable right to give his vote, in the appointing *him*, or *them*, with whom it is to be entrusted. And, if the issue of the election be contrary to his choice, he must, nevertheless, obey the executive power, or desert the tribe. But, as, in states where money has not found admission to supersede the inclinations of the people to promote the general welfare; and the interests of the individuals are so much the same; it is manifest, that the most proper persons will be elected, as administrators of the executive power, whether it be tribal or regal. Of the superior attributes of man, wisdom, courage, and strength of body, the first is the most excellent and most capable of promoting the advantage of the tribe and nation. Because wisdom only can dispose and direct the actions of any number of men to the best advantage. Courage can but lead them on to action, and continue the combat more resolutely. Whereas, the strength of *one* man is seldom superior to that of *two* united.

In all elections, therefore, of the tribal chieftains, the choice will as naturally fall on the person of superior intellect, supposing it to be not depreciated by a deficiency in courage*, and all others of the same tribe be esteemed according

* Tacit. p. 384.

according to the eminence of their several faculties; as certainly as a quantity of atoms, of different specific weights, thrown into water, will, each of them, take their places, in descending to the bottom, according to their respective degrees of gravitation. By these means, the same faculties, which, in single persons, render one man superior to another, and enable him to accomplish what cannot be performed by the less able, still give him pre-eminence in the coalition of all; compensate for his contributing a larger share of those powers, than other individuals, to the welfare of the whole; encrease the consideration of the tribe, in proportion as he equals or excels the chieftains of others so associated; and, in this manner, augment the influence and importance of the state. When men settle into their due places of subordination, according to their respective faculties, and constitute a *force*, to controul their *own wills*, do they voluntarily resign themselves to *servitude*? especially as, from the *servitude* or subordination arising from the laws of nature, the *civil* liberty of the whole can only be preserved. For, without obedience to the executive power, all men would be let loose to *physical* liberty, like atoms deprived of their centripetal attraction; the ends of association would be totally defeated; and, consequently, no *civil* liberty could exist?

As the ends of associating into tribes do naturally constitute an executive power in one man; so the ends of tribes coalescing into nations, do equally require a single person, to whom the like power over the tribes is to be committed. The same reasons for preserving a unity of *will*, and, thereby, of imparting the fullest power to the nation, are equally coercive in this instance, as in that of the tribal societies: and, as he who is to direct the actions of *all*, ought to be appointed by the votes of *all*, election is the natural mode of constituting a sovereign executive power. As the superiority of intellect, in choosing the tribal leaders, prevailed over every other quality; in like manner, it preserved its ascendancy in electing the regal. And, as the leaders of tribes were the most eminent in those attributes which exalt one man above another, their king was chosen from among them,
because

because of his pre-eminence above the rest *. Hence it appears, that "all civil government is *not*, as far as it "can be denominated free, the creature of the people" as Dr. Price asserts. It is created by the superior wisdom of the *few*, according to the laws of nature in giving an associating propensity to man, compared with that of the multitude; and, therefore, it *cannot* originate with the latter. To assert also, that all power is presented by the *people*, is either the effect of ignorance, or of intention to deceive. Whether it be the legislative or executive, it springs from the wants and insufficiency of a people, associated to the same ends. The hands and feet may as truly assert, that *power* is by them given to the *mind*, to rule and direct them; as that the people bequeath it to the legislative and executive parts of the state. For, in this instance, are not the salutary effects, which are imparted by superior wisdom, as much a *gift* to the people as the *power* which is given by them to the preceding authorities? And, as it is the office and duty of the mind, in both cases, to determine the rules of conduct and direct the movements of the whole body; and as that cannot be effected, but by the subordination of the members, *obedience* is equally due to the superior power, as an *equitable* administration is due from that power to the members. Hence it is obvious, that neither a legislative nor an executive power being able to act without a people; nor a people without these superintending powers, the obligations due from the people to them, are as much above those from the executive power to the people, as an *agent* is more excellent than the instrument with

* *Reges ex nobilitate, duces ex virtute sumunt.* Tacit. p. 384. It appears to me, that the sense of this passage is as I have rendered it: *Dux* being, in Tacitus, synonymous with *Princeps*, or head of a *comitatus* or tribe, and *Nobilitas* confined to those heads. I am sensible Sir William Blackstone is of another opinion, and supposes something like an hereditary descent in the crown, because the kings were elected *ex nobilitate*; but, with that deference which is due to so great a man, as, through the whole of Tacitus and other writers, it appears that all the Germans were on an equality, except as their faculties rendered them superior, and that virtue was the sole nobility, I hope the sense which I have given to the preceding words may not appear altogether groundless.

with which he works. With what truth, therefore, can power be said to be a *donation* from the *people* to the *supreme authority*? when, without the directing influence of that authority, they would have remained an impotent, an ungovernable and a tumultuous rabble? How can it be found in such exchanges, wherein the *people* receive the greater *advantage*? May it not be as truly said, that the *wheels* of a watch give *power* to the *spring* to move them, as that the *people* give *power* to those who superintend and govern them?

Were the sensations of pleasure and of pain, or of benefit and injury, as absolutely attendant on the actions which every individual may perform for the community as for himself, the man of the most exalted intellect might singly and securely be entrusted, both with the legislative and executive powers; and monarchy would be eminently preferable to all other kinds of government. But, as it is imagined that the legislative authority cannot be so safely transferred to a single person, as left to a majority of the national constituents; laws were originally framed, according to the votes of a majority of those, who, under the delusive idea of giving their *own* opinions, fancied themselves to be part of the legislature. In this state of civil government, wherein each man has a right publicly to deliver his sentiments in the formation of laws, the faculties of the soul, like the budding blossom, grow and expand themselves, and the degrees of intellectual powers are known and distinguished. Hence arises the chief advantage from national assemblies. They afford an opportunity to men of sense to shew their excellence, and to babblers of distinguishing their inanity and impertinence; the former are thereby known and esteemed, and the latter rejected and despised. Passion, also, the *brute* in man, as Dr. Price is pleased to denominate it; in consequence, I presume, of *his* wisdom being superior to that of *God*, by whom *men* were created, is excited by its proper objects only.

Whatever be the general conception, or delusion of the multitude, the reality is, that a legislative majority does never proceed from voting according to their *own* judgments: but from the influence of a few of superior wisdom, in whom they *believe* and confide; and by whom

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their *wills* are formed, and their voices directed: and were the opinions of a majority of the people, undirected by a *few* intelligent men, to institute laws for the government of *all*, acts of legislature would prove, of all things, to be the most absurd, contradictory, subversive of each other, and of liberty itself. For, in what nation has the majority possessed such degrees of intellect and information, as can make them adequate to the discharge of a legislative duty? From an insufficiency of that kind, have not the populace undeviatingly followed and supported their demagogues, unknowing the consequences of what they were pursuing, although they led to their destruction? The people of a whole nation are, indeed, incapable of being corrupted. But no gregarious animals are so easily seduced and led astray, which is equally fatal to a state. The assertion, therefore, that, in all such states, the laws are framed according to the *opinion* of a majority, is in fact, an egregious fallacy. For the majority have *no* opinion, but what is obtained by a *faith* in other men of distinguished abilities: nor can they possibly possess the means of knowing what is best. And, therefore, without the *direction* of the *few*, no beneficial laws would be enacted; and the right of all to *vote*, would prove to be not only a useless, but a detrimental privilege, even to those who voted.

Of this truth the Roman people were so sensible, that, in order to obviate the mischiefs that were brought upon them by the senate, and experimentally conscious of their own insufficiency, they obtained the establishment of *Tribunes*, by whom their rights were to be preserved, and laws proposed for their welfare. In Sparta, also, from a like consciousness of their insufficiency, the *Ephori* were elected to similar purposes. And the numerous revolutions in the Athenian form of government, and the destruction of the state, were solely owing to the people's being at once the legislative and judicial power to which men might appeal from the senate of the Aropagites, and all the other courts of justice. But it flatters that self-sufficiency which is natural to man. And he conceives himself to be an *agent*, where he is but the passive instrument of his leader's *will*, whose *opinion* he as implicitly follows, as sheep do the *sound* of the bell, which hangs from the neck of the wether

wether that leads them. Hence it results, that the people are not governed by laws actually made according to the *opinion* of a majority, but in consequence of their *faith* in a few men of superior knowledge. Thus, it is in fact, a small number in which the legislative power does really reside, whatever be the form of government. At the same time, a majority of the *few* is again directed by the *will* of *one* man and his dependants, united in the same cause of acquiring power. If the *belief* of the majority in the superior judgment of the *few*; and the *influence* of *one* man be the guiding power of the majority of those *few*; are not these the *forces*, which stand in opposition to the agent's *own* will, and produce a *servitude*? What, then, are the numbers of those who are not *slaves*, according to Dr. Price's definition of *civil* liberty, that reside in such states as are deemed the most free? But, as this *servitude* is nothing more than the *subordination* of *folly* to *wisdom*, *civil* liberty is the progeny of laws formed by the *few*, directed by the *one*, in consequence of this natural subordination of intellect in the number. This incapacity and want of knowledge in the people to institute laws, encreases in proportion as states become more opulent, more commercial, and property more unequally divided. In consequence of these, the rich individuals become more self-sufficient, and the populace more insolent. Government is therefore rendered more intricate and embarrassed, by a multiplicity of interests, which intersect or confront each other in their several courses. In reality, in those governments which are denominated free, whether they be democratic or aristocratical, the supreme power does, practically, devolve on *one* man; who, with his family friends and adherents, as certainly rules the state, as if he were, constitutionally, the king established. But men are deluded and governed by names, and as such is their nature; and it contributes to their imaginary happiness, let them enjoy it.—For the truth of this observation, I appeal to the histories of Greece, Rome, Carthage, and of all nations, both ancient and modern. For, in that case, as in all others, although the appointments of man may intend to traverse the intentions of nature; she, nevertheless, by the incessant operations of her own laws, either directly or indirectly,

in all governments, brings things, as near as possible, to the same issue: and hence it is, that all other modes of government are, ultimately, resolved into that of *monarchy*. Thus it appears, that "all civil government, as far as it can be denominated free, is *not* the creature of the people," as Dr. Price asserts it is, but of a *few*, or of *one* man, directing the *wills* of a majority.

Even in the German states where money, and consequently its influence was unknown, a *majority* of the whole nation had been found to be an *erroneous* guide in legislative ordinances; and the mischief was therefore obviated. The tribal chieftains consulted on affairs of small importance *without* the people. And, although those of greater consequence were brought before the national assembly, yet even these were not permitted to their decision, untill the propriety of their being passed into a law, had been previously and thoroughly considered by the king and chieftains*; so sensible were the people of their own insufficiency of judgment to compose, or to determine in acts of legislature. In Athens, also, the senate of the five hundred was authorized to prevent every thing from being brought before the people, to be passed into a law; untill it had, by that senate, been previously examined and approved. If a majority of the people, therefore, had a right to enact all laws by which they were to be governed; they were, in like manner, excluded from introducing into the national council any law, and from giving their opinions and voice in the instituting of them, the subject of which had not been pre-considered by a *minority* of superior understanding. Hence, it is evident, the legislative authority of a majority did not extend to the forming of laws according to their own *will*; but of passing and rejecting whatever were brought before them by the *will* of a minority. This right, of pre-examining and precluding all things, was "a *force*, which stood in opposition to the agent's *own will*; or a *will* distinct from that of the majority of a community, which claims a power of making laws for it, and disposing of its property." On that account,
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* Tacit. p. 390.

according to Dr. Price, it produces *servitude*, and all but the king and chieftains in Germany, and the senate in Athens, were *slaves*; although these states, have hitherto been deemed the most *free*, that have existed. And certain it is, if all men, in the same community, were of equal understanding, courage and strength, that community could not subsist. Each man would endeavour to *lead* and *submit* to none. The *force* of all would be divided. And those who, by their subordinate degrees in the preceding faculties, are now the means, without which, the conceptions of superior knowledge can never be carried into execution, would then have no existence; and all government and *liberty* would be suspended. To suppose that *civil* liberty, or Price's *servitude*, can be established and preserved without such subordination of *less* to superior wisdom, is to imagine that a carpenter can hew without his axe, or that the axe can hew without the carpenter.

Men, being divided into tribes, are soon convinced of the necessity of *one* man's presiding over and directing the actions of the whole. For as, in nature, the several members of the body are governed, in their movements, by the direction of *one* mind and *will*, in order to exert their full efforts; so, in society also, it is equally expedient that *one* mind and *will* direct the individuals in all their actions. For, if every man were left to his *own* direction and guidance, in acts wherein *all* are engaged, it would necessarily result, from the *inequalities* of reason amongst men, that different conclusions would be drawn from the same premises; that passion or interest operating more strongly, or to different purposes in some than in others, would create a variety of *wills* in the whole number; give a diversity of directions to the conduct of the several parts and persons; and thus, by dividing the unity of *volition*, destroy the energy of all. And thus those undertakings and enterprizes would be rendered abortive, which would, otherwise, have been prosperously transacted. For, unless one mind were to direct the powers of all, to what purpose did individuals *unite* in one association? one man, or a few men are, therefore, of necessity to be constituted, with authority to act, according to the tenor of the laws, absolutely

and without controul. And to this executive power, the right of acting for themselves is implicitly consigned by the individuals. But, as, in nature, the mind is not permitted to injure the parts of that body which it directs, without inflicting pains on itself; so, when an executive power is formed, for the government of great numbers, the latter cannot be conceived to have given that power, the right of injuring them with impunity, in the exercise of it. The executors of this power are, consequently responsible, not only for all transgressions of the law, or misconducts which they may have *wilfully* committed; but for omitting, also, those duties which, by the constitution they are enjoined to perform: and, therefore, they are amenable to enquiry, and justly to be punished for delinquency. And yet, all this would be *unjust*, should Dr. Price's definition of moral liberty be admitted; as passion would get the better of reason and *overpower* the *wills* of the agents. Such men, therefore, could not even become the objects of reprehension, much less of punishment. Because the misdeeds were produced by "a *force*, which overpowered their *will*, and reduced " them to mere passive instruments, which did not act, " but were acted upon."—To be pre-eminent in legislative and military science, to signalize themselves by acts of courage, which advanced them to the distinguished ranks of sovereigns and tribal chieftains, were the objects of ambition, or the love of acquiring power in the Germans.* Yet this pre-eminence of sovereign authority, when obtained, did not impart to kings an indefinite or unbounded power; and the tribal chiefs exercised their authority by example rather than by command. If they were alert and conspicuous in action, at the head of their tribes, the admiration of their companions gave them power.† By actions such as these, they could only obtain the estimation and applause of their compatriots; and these returns were as much the aliment of the soul, as animal substances are of the body: and as equally sustain its vigour and activity. Envy, or the desire of becoming equal, excited them to emulate, and even to surpass the others. For such was the effect

* Tacit. p. 392.

† Tacit. p. 384.

effect of emulation, that every man of the tribe contended, who should obtain the first place, near his leader; and the leaders, who should obtain the most numerous and bravest companions. This dignity, this strength, of being constantly furrounded with a number of select young men, was their glory in peace and their safety in war.* And, as, in this state of civil government, those actions only which are beneficial to the community could be the objects of emulation, envy became active in promoting the publick welfare. Anger led to chastisement, and hatred to revenge, by the operations of which transgressors were taught, that such would be the inevitable consequences, on subsequent occasions of similar delinquency, and, therefore, to abstain from transgression. Shame, also, that passion so influential on human conduct was happily applied to the advancement of national prosperity. To leave their shields behind, in battle, was an extreme disgrace. Whoever had been guilty of an ignominious act was interdicted from the sacred rites and being present in council: and such was the influence of that passion, that many who survived the battle, conscious of not having performed their utmost endeavours, preferred a voluntary death to the reprehensive eye of their companions.† When they were in the engagement, it was ignominious for one leader to be excelled by the courage of another; and shameful, also, for his companions not to equal him in that virtue. But the most infamous of all deeds was, for the companions of the same tribe to survive their leader in battle. To defend and preserve him, and to ascribe their bravest actions to his glory was a sacred obligation. The leaders fought for *victory*. Their companions fought for *them*. Such were the effects of Dr. Price's *Brute*, without which, man would have remained as inert as matter, and reason have had no motives to induce him to act or save his country. As to the passions of friendship, pity and others, of the tender and benevolent kind, it seems unnecessary to shew their utility. And yet, being included in the Doctor's general term, of *passion*, these, also, must

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* Tacit. p. 394.

† Tacit. p. 384.

constitute the *brute*, although mankind would have been *less* than *brutes* without them.

In this state of civilization, wherein agriculture and private property had so far advanced; positive rules, for the conduct of all, became more requisite, than in the preceding state, when sustenance was sought by hunting. The exertion of the legislative power was, consequently, more requisite; national assemblies were more frequently convened; and laws were made, in aid of *moral* influence so insufficient to oblige mankind to the performance of such actions only, as are advantageous to the whole. These were, therefore, to be framed in the national assembly. And in these assemblies, although every man had a right of delivering his opinion, yet every babbler, from whose mouth a stream of words alone flowed, with more rapidity because of a certain vacuity above, as water runs more freely from a bottle which is but half full, was not indulged in long and futile harangues. In such cases, the auditors treated him with vocal marks of contempt. As the tribal chieftains had been elected for their superior understandings, these were heard with attention. Age also, descent from illustrious ancestors, glory acquired by arms and eloquence, obtained a ready audience for the speakers; notwithstanding which, they prevailed only as their arguments were persuasive, without the least influence from personal considerations, or eminence of station. When their orations were agreeable to the audience, they struck their arms together, and expressed their approbation by the sound that issued from them*.

The care of the public welfare being not only their chief concern, but the good of every individual being so closely connected with it, all offences against the state were deemed more criminal than those committed against single persons: and, as man can be effectually restrained from injurious actions by no means but by the *fear* of punishment, the "*brute overpowering the man*," penalties and inflictions were annexed to the commission of such acts, as the powers of *morality* were unable to prevent. Those, therefore, who, in obedience to the dictates

* Tacit. p. 391.

dictates of their *own* reason, followed their *wills*, in matters prejudicial to the state, were deemed the most criminal offenders. *Traitors*, therefore, and deserters from their country's cause, *Dr. Price*, were hanged as public examples, to communicate a terror to all the others *; whereas, offences of a private kind, or from one man to another were not punished with death. Even homicide was not subjected to that infliction. It is remarkable that, of this misdeed, and of all other transgressions, the punishment was left to the operations of that law of nature, by which the *desire* of revenge is made the motive to retaliate one injury by another. And this method was thought to be the most effectual in suppressing the propensity of acting wrongfully. It was imagined, that resentment for violation, would certainly excite the injured to take vengeance. And, as the degrees of vindictive infliction were unlimited, that the certainty of the danger which would follow all transgressors, would operate as a preventive law, respecting the commission of them. That this infliction of vengeance might the more assuredly be carried into execution, the sons and relations of him who had been injured, and those of the injurer also, were obliged, the former to assist in taking vengeance, and the latter in defending him who had committed the wrong. And thus, the peril to which both the aggressors and the avengers were exposed, operated to the restraining of the former from committing offences, and induced the latter to listen to terms of accommodation.

But, as the strength of the state consisted solely in the number of their individuals; and this right of taking vengeance co-operated with the effects of war, and with all other causes which can reduce the power of a people. In order to obviate that mischief, it was made lawful to commute, even for homicide and crimes of less notoriety, by a certain number of horses, cattle or sheep; as compensations for such acts of criminality. One part of it went to the king or state, because the national power was lessened by the loss of a subject. The other to the family of him who was slain, because the power of that family,

* *Proditores & transfugas arboribus suspendunt, Tacit. p. 391.*

family was diminished also *: for, in those states, every man's consequence was in proportion to the number of his descendants and relations, and those who had been unproductive of their race were held in no esteem †.

But, as anger and resentment are passions which lead to sudden satisfaction, men who had received injurious treatment, were not likely to listen to admonitions from the dread of danger; nor to prefer a compensation by herds and flocks to the desire of inflicting death on the aggressors. It was, therefore, thought expedient to provide, that some certain time might intervene between the commission of the crime and the commencement of vindictive acts. This intervention was intended, that the minds of the injured might have leisure to subside from fermentation, and become more likely to decline from their vengeful agitation. And, as both parties were thereby prepared for hostilities, the danger was, therefore the more imminent that both the nation, and the respective families engaged to sustain their different causes, would conjointly sink in power by the slaughter which would ensue. On this account, every man's own house was made an asylum, to which if the aggressor had escaped after his transgression, no violence was to be offered to him, during a certain time, in which it was to be declared, whether he would pay the compensation or not. If it were refused, his habitation was no longer a sanctuary, and vengeance began her operations. But the pernicious consequences of such pursuits were, in general, too manifest, not to induce the offender to give, and the injured to accept the compensation: and the reconciliation of the hostile parties was one of the objects of their convivial meetings ‡. This right of taking vengeance was brought by the German conquerors, and prevailed for ages, in all the kingdoms which they subdued; as is evident from the codes of all the Germanic nations, collected by Lindenbrogius, as well as from the Saxon laws of England §.

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* Tacit. p. 392. † Tacit. p. 405. ‡ Tacit. 406.

§ Injuginus etiam, ut si quis adversarium suum domi sedentem noverit, ut non pugnet cum eo, antequam jus ab eo postulaverit. Si vires habeat ut adversarium suum obsideat, & intus oppugnet, continet

In all these; a certain price was fixed for every injury and hurt to the body, from the slightest wound to homicide itself, according to the riches of the men who might transgress, and to the places in which the offences might be committed. And, when the christian faith was promulged among these people, churches were made sanctuaries, because, on the account of their being deemed more sacred from violation, they were conceived the more likely to preserve those lives, which would, otherwise, have been lost in the private wars of families; who, in consequence of the law, were obliged by arms to support the vengeful causes of their kindred.

The transition, from a state of sustaining life by hunting and collecting the fruits of the earth, to that of living by pasturage and agriculture, necessarily required the care of herdsmen, shepherds, and the toil of those who till the ground and collect the harvest. And, as men will not labour with their *own* hands, who can get others to labour for them; from thence arose a different treatment of those who were taken captive in war. Instead of being put to death, in order to lessen the national strength of their enemies, they were doomed to toil, and spare the labour of their conquerors. To these, the care of cattle, the operations of husbandry, and the supplying other wants were consigned; whilst their masters passed their days in festivity and idleness, when unengaged in war. Thus, the captives, from being victims, and sometimes the food of their conquerors, became their slaves, and produced them sustenance by their labour.

As it is inseparable from the nature of association, that every individual must receive more assistance and security from the whole community, than he can impart to it; he does, of consequence, consign all his powers, without reserve, to the promotion and support of the public welfare. The legislative authority has, therefore, an

continet eum septem dies intus, & in illis non pugnet, si ille velit immorari, & tunc septem diebus exactis, si obedire, et arma sua reddere voluerit, contineat ipsum triginta dies incolumen, & cum cognatis ac amicis suis, probeat, &c. Leg. Alfred. 38.

an indispensable right to command these individuals to the exertion of their abilities, on all such occasions. In consequence of that resignation of themselves to the *will* of the legislature, and to the right of the latter to command their obedience, all who refused their compliance with the laws were to be compelled by force, or to be punished for their delinquency. By the German constitution, the power of the legislature extended, not only over delinquents who refused to assist the common cause; but over such as, by nature, were formed incapable of aiding it. The effeminate and unwarlike were drowned in mud, as beings not fit to remain above the surface of that earth, which they would not defend.*

But, as the most equitable institutes, unexecuted, are unavailable; it became necessary that an executive authority should be established, to superintend the actions of the people, and to provide that whatever laws were passed, should be carried into execution. It was, therefore, the office of that part of government, that no man should be exempted from that duty to which he was legally obliged; that no preference or partial distribution of the lawful authority should be permitted; and that, in whatever district of the nation the contrary prevailed, those, to whom the office of executing the laws was committed, were guilty of offences against the public good. On this account, the tribal leaders, elected by the people in the national assembly, assisted by a certain number of assessors, at once to give their advice and impart authority, distributed justice through the tribes and villages†. But from these there lay an appeal to the national assembly, in cases which were punishable with death‡; and, in such instances, the formation of the laws, and the execution of them were entrusted to one and the same power.

Such was the "*civil society*, or state of the Germans, " in which a majority of the people, according to their " own discretion, enacted laws for their government, " without being subject to any foreign discretion, or to " the imposition of any extraneous will or power:" hence it results, that if *civil* liberty be founded on the
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* Tacit. p. 391.

† p. 392.

‡ p. 391.

kind of government by which the laws are made; and not on the *reasonableness* and justice of the laws themselves; although the execution of vengeance, by their own hands, were permitted to those who had been injured; compensations to be made by certain numbers of cattle, for acts of murder; putting to death those whom nature had formed with effeminate and irresolute souls; enslaving their captives, and all their generations, whose lives were at the disposal of the masters, and who, like their cattle, were their property, *civil liberty* was, nevertheless, established in that state.

With a view to justify this distinction between *free government* and *civil liberty*, I shall presume to adduce a few instances of laws enacted by a majority, in those states which were free, according to Dr. Price's definition of *civil society*. Athens was one of those states, in which the laws were enacted by a majority of the people: in this state, the subsequent laws were the issue of their *own discretion*. That all those who inhabited Athens, and were not Athenians, and who could not pay their taxes, should be instantly thrown into prison, before they were tried, and incapable of being bailed. And whoever was found guilty of not having paid, or of being unable to pay his taxes, was to be sold for a slave, and the price of him applied to discharge the debt.*—These inhabitants amounted to ten thousand, and were equal to one half the number of the Athenians.—He that gives two votes at an election, for the same candidate, shall be punished with death †.—No man under thirty years of age shall be permitted to deliver an oration in the senate or assembly of the people.—He must have children, lawfully begotten, and an estate within the Attic territories ‡.—Whoever accepts a public place, and is indebted to the treasury, shall be put to death §.—Whoever proposed a new law, that was contrary to the public welfare, was to be put to death or fined. And to these punishments he was subject, although the law had been passed by the people, any time within a year from
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* Orat. Æschin. in Timarch. † Demosthen. in Boeotum.

‡ Potter's Antiq. of Greece, p 157,

§ Demosthen. Leptin.

its commencement.—In Locris, free in Dr. Price's manner, whoever proposed a new law, or to abrogate an old, was obliged to enter the assembly with a halter round his neck. If the proposal was rejected, he was instantly committed to the hands of the public executioner, and dispatched. Would not such laws adopted in this kingdom, be the effectual means of stopping the babbling impertinence of our speakers in Parliament, and of shortening the Sessions? Will Dr. Price give his vote at an election, for a representative who will introduce a law of that kind into the House of Commons, because it is a part of *civil* liberty, instituted by his *civil* society? Any man shall sell, as a slave, his daughter or sister; if he can prove her to be a whore*.—If any person shall propose a law, that the soldiers shall be paid out of the money appropriated for the exhibition of theatrical and other shews, he shall be put to death†.—The most sufficient and wealthiest of the citizens shall be exiled for ten years, by Ostracism; that is without trial, by a majority of the votes of the people‡.—Slaves were the absolute property of their masters. If beaten, tortured, famished, their surviving friends were interdicted to apply to the courts of justice for redress of such inhumanity, and even if they had been put to death§.

These are a small number of the many barbarous, incongruous and absurd laws, made by the discretion of a majority of the Athenian people, who were deemed so much superior in understanding to the other Grecians. Does the Doctor imagine that Britons are more discrete?

In Rome, also, the laws were enacted by a majority of the people. In this *free society*, it was a law of the twelve tables, that creditors might sell their debtors as slaves or put them to death, if they could not discharge their debts. Their dead bodies also, after execution, were to be divided into parts, and given to the creditors, in sizes proportioned to the respective debts||. They were reduced to the dire necessity of tilling their

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* Plutarch, in Vita Solon.

† Potter's Antiq. p. 166.

‡ Demosthen. in Timocrat.

§ Potter's Antiq. p. 38.

|| Aul. Gell. L. 20. C. 1. Quint. 3. 6. Tertull. Apolog. C. 4.

own lands, for the sole profit of their tyrannic creditors; to dig the ground, to plough, to plant, to labour, to become herdsmen, shepherds and companions to those very slaves, whom they had acquired by their own valour. Like them, they were bound, fettered, and secured with collars of iron, as beasts of prey. They were precluded even from speaking of the egregious outrages, insults, insolence, and cruelty of those barbarians to whom they were indebted, and who frequently tore their flesh, by excess of whipping †.

Slaves were in the same miserable condition in Rome as in Athens. Innumerable are the laws of this kind to be found. Will Dr. Price now persist in affirming, that *civil liberty* solely consists in a power of creating laws, according to the *discretion* and *will* of a majority of the people? or deny that *such a free society* and *civil liberty* may be different things? Is it not, from hence, irrefragably evinced, that, in a government founded on the *sine qua non* which makes it *free*, the people may, nevertheless, be deprived of *civil liberty*? *Civil liberty* is, therefore, the progeny of *just laws*, righteously administered, by whatever kind of government they are instituted.

SECTION IV.

Of religious liberty.

A *moral obligation* comes in aid, to preserve those rights which *nature* has bestowed on man; so, in like manner, does *civil power* contribute its assistance, to strengthen and confirm the influence of *morality*. Yet, such is the disposition of human kind, the union of these powers would, nevertheless, be manifestly inadequate to the ends of national society, unless they were supported by that authority, which religion can alone impart. For, with whatever precaution and desire of promoting public happiness, men may form and institute their laws, annex

* Dionys. Halicar. L. 6. Tit. Liv. L. 2. C. 23. & passim.

rewards to good deeds, and punishment to evil, it is evident that, from the imperfect state of man, the most execrable deeds must escape the infliction of the laws, unless the perpetrators be discovered. From this circumstance, there naturally arises in the minds of all those who incline to the commission of unlawful acts, a *hope* of so clandestinely transacting them, that they may thereby escape the *vigilance* of the civil magistrate, and the prosecution of justice. Hence, it is evident that, were there *not* implanted in the souls of men a *belief* of the soul's immortality; and of an omniscient being, whose discernment nothing can escape; whose power is equal to all things; and whose justice will, inevitably, distribute eternal rewards and punishments in a *future* state, according to the conduct of every individual being in the *present*, the powers of legislation would be inadequate to the support of social communities.

But, by uniting the influence of *religious faith* with the institutes of man, although the *hope* of evading the infliction of the law, by the concealment of the crime, may still subsist: yet is the operation of it much controuled, by a *belief* in the certainty of its being discerned by that being, to whom nothing can remain unknown, and whose decrees no mortal can evade. In this manner, the *fallible* discernment of humanity is aided by that which is *perfect* in the supreme being: and the *certainty* of rewards and punishments, in a *life to come* operates with energetic influence *in this*, which is *present*. By this addition of the perfect attributes of the deity to those which are merely human; and by affixing an *eternity* of rewards and punishments, for the commission of those deeds which, otherwise, could be rewarded and punished during *this* life only, the powers of legislation are greatly strengthened: and human kind are more effectually secured from temptation to iniquitous proceedings, than they could otherwise have been. Whatever, therefore, can tend to efface the effects of faith in religion, is indisputably injurious to society. Because it operates to deprive the legislature of such powers as can by no other means be effectually supplied; and, therefore, to diminish the force of sustaining *morality* and *civil* government. On that account, whoever may attempt it, is the enemy
of

of human nature. As every act of man, must necessarily be preceded by a *will* to perform it, in order to controul, as much as possible, an inclination to the committing of criminal transactions; it became expedient that the very *thoughts*, which prompt mankind to unlawful deeds, should be suppressed. But, a discovery of what passes in the mind of man, being beyond the cognizance of the magistrate, religion lends her aid, by the interposition of that *belief* of a supreme being, omniscient and perfect, by whom the secrets of all men are known, who cherishes virtue and detests vice. On this account, *such* thoughts as excite a propensity to the perpetration of iniquitous transactions, being displeasing to the deity, are, by *religion*, considered as *criminal*: and, by these means, the *will* to act unrighteously is in a great measure rescinded. In every nation, therefore, in proportion as the *tenets* and *belief* of *religion* coincide with the support of just laws, will be the *virtue*, and, consequently, the *efficiency* of the state. From hence arises the expediency of establishing *one* religion only in a kingdom, that an *unity* of *sentiments* and of *will* may be so far effected, and the strength and morality of the *whole* community be preserved *entire*.

Every religious tenet or doctrine, therefore, which tends to divide the sentiments of the people, has inevitably a like tendency to lessen their efficiency. And, as the division of matter into small parts, diminishes that force of percussion which it possessed when in the mass; so, in like manner, according to the numerousness of the dissensions from the established worship, will the powers of the whole community become less. In consequence of this, whatever, in these divisions of religion, tends to destroy the unanimity of obligation, to the same moral precepts, must be productive of culpable demeanor, and enfeeble the *virtue* of the people. Unless, therefore, such tenets and doctrines be restrained, the *energy* of religious *influence* will counteract the *obligation* to morality and the dictates of the law; and, in a great measure, efface the ends and benefits of their institution: and, thus, the most absurd of all contradictions in a state will be effected, the *powers* of *religion* combating those of *morality* and human institutes. Hence it must result, that those authorities will become *separate*, which ought invariably

to coincide and act together to the same ends of promoting *virtue, happiness, and the public tranquillity.*

But it is said, no power can prevent mankind from thinking and determining for themselves, according to the decisions of their own consciences, respecting religious *truth.* This holds as equally true with respect to *civil* as to religious institutes. But the *number* of mankind, who are inclined to think on such subjects, is so *small*, and the *capability* of thinking rightly is so much less, as it is evinced by the approbation of Dr. Price's pamphlet, and by other instances innumerable, that, did not those, who pretend to think and decide for themselves promulge their opinions, *religion* would be uniform, and its *influence* more effective. Certainly, as every publication, that tends to subvert the ends of *moral* and *civil* obligation, would be deemed to be *destructive* of human happiness, and, therefore, to be interdicted; so, in like manner, as every thing that is published to the *degradation* of religion must enfeeble the *efficiency* of the former obligations, for what reason ought it not to receive a like inhibition? For to indulge the subjects with a *permission* of publishing, under the *notion* of religious truths, such opinions as *oppose* the institutes of the law; and then to punish them, for transgressions committed in consequence of such indulgence, would be a *contradiction* approximating to *injustice.*

But *truth*, it seems, is a thing so hallowed, that its progress, on no occasion, ought to be obstructed. I readily coincide in that sentiment; and yet, I verily believe that the words, *truth, liberty, and reason,* have proved to be *more* pernicious to the *happiness* of individuals and to national society, than all the *exertions* of arbitrary power that ever have existed. They carry with them something *sacred* in the *sound*, which captivates the unthinking, whilst the things themselves have been totally misunderstood, and the *true* objects of them never intended to be acquired, by those leaders of the people, who have been most clamorous and exertive in their cause. As the natural effect of this proceeding, innumerable calamities have been maliciously spread among the nations of the earth. But, what is *truth*? It certainly cannot consist in such conclusions, from the same premises, as every
man

man may form, in consequence of his *own* peculiar mode of thinking. For, as men will, necessarily, think differently on the same subjects, all of their conclusions cannot be true, or *truth* can consist in a multitude of discordant and contradictory opinions, which subvert each other : this is impossible.

In order to ascertain the idea of *truth*, in those objects which appertain to the faculty of faith, of which faculty I have already spoken, in p. 11. A *propensity* to believe what is marvellous, and surpassing the common efficiency of nature, is so obvious, that it will hardly be denied. It is evinced by *experience*, drawn from the conduct of all past and present ages. The ideas, also, which are imparted to the *faith*, by its peculiar objects, are *intuitively* perceived; and attended with the sensations of pleasure and of pain, like those which are appropriated to the *senses*. They, therefore, stand on the like foundation of truth, without the agency of reason. The *eye* discerns all colours, the *ear* all sounds, and every *sense* its proper objects, and acquiesces in the *truth* of their existence, although the man be totally *ignorant* of all the *causes* which produce either *colour* or *sound*. They have, therefore, no evidence of *truth*, but that of being perfectly adapted to the *intuitive* perception of the senses. *Reason*, nevertheless, considers them as *realities*, and applies them to the *purposes* of life. The *water* from the earth ascends the stem and branches of the *vine*: by the operations of nature, it is converted into the *juice* of grapes, and then into *wine*. The *causes*, which operate in this *transmutation* of water into wine, are as absolutely inexplicable by *reason*, as are those of turning *water* into *wine* by an instantaneous mandate. Is it not, therefore, as *easy* to be conceived, that the deity can delegate that *power* to a *being* expressly appointed to that purpose, as to nature? To *believe* the latter is, therefore, as natural as to *see* the former. Their objects alike impart *conviction*, by being *intuitively* conceived, and not by logical induction. On this account, they stand on an equal ground of *truth*: and it would be no less ridiculous for a man to *deny* that another *believes* a thing, because he does not believe it, than to *deny* that another *sees* what he cannot *see*. Each of them will, consequently, act as certainly in conformity with the

convictions arising from his *faith*, as with those from his *eye-sight*.

But, although the *true* causes which turn water into wine, by the intermediate operation of the vine, which affects the sense of tasting; into blue, green, yellow, and all other colours in the flower, which affect the eye; into odours, which affect the smell, and those which produce the changes that are made in things by what is called a *miraculous* power, and affect the *faith*, are *undiscoverable* by *reason*; there, nevertheless, exist the *means* of coming to that *truth* of them, in which *alone* mankind is interested: and that consists in the objects of them being adapted to the *utility* of man. By this *test* alone, the institutes of morality and civil government can be fairly tried, and the truth of them determined. If, therefore, the *truth* of sensible, moral, and legislative objects depend on the *utility* and the *rectitude* of them, and on their adaptation to the benefit of *civil* society; those of *faith*, being adapted in an equally useful and beneficial manner, are equally true; and the application of them must be equally *right*. And, as it is justly inferred, from that adaptation and utility to man, that the former are *right* or *true*; by the faculty of reason, the latter are equally intitled to the like approbation. Whatever, then, is *useful*, in all these objects, is equally *true*. The law, which prohibits murder and other crimes, has no evidence of its *truth*, beyond that of its *fitness* to promote and preserve the right that all men have to live, and to be secure from injury; and in this light it is said to be *true* or *right* to *reason*. Even geometrical *truths*, than which none can be more indisputable, and which are always received as the result of reason, are founded on objects of the most extensive *faith*. The *point without parts*; the *line without breadth*; the *surface without depth*; are objects of *faith*. They never had, nor ever can have existence: and yet, on these *impossibilities* the *demonstrations* of geometry are founded. It is, therefore, from their *fitness* to produce the ends which are useful, that they are received, and proceeded on, as *truths*. Is it not evident, therefore, that the *utility*, which may be derived from all the preceding objects, is the only proper *test* of their *truth*, and the disservice they may bring, the

test

test of their falsehood? In this view, the objects of *sense* and *faith* become those of *reason*, in the application of them; and the superior faculty in the human intellect, preserves its office of superintending and controuling all the others. To deny a *truth*, to the objects of *faith*, is, consequently, to deny that *truth* to the objects of all the other *faculties*.

The nature of legislation necessarily implying a *right* of instituting all things that can conduce to the benefit of society; it, of consequence, includes an *authority* to adopt and apply those objects of the *faith*, which can be instrumental in the promotion of social happiness and the public welfare; and to abolish the influence of all such as are of a contrary disposition. It, therefore, becomes the indispensable *duty* of the legislature to conduct itself in that manner. For, if this were unattended to, the most *prevalent* faculty of the mind, by which men are generally actuated, would be left to *select* its *own* objects full of contradiction and absurdity. Unless those which are proper were applied by the legislature, men would be employed in extravagant vagaries, or in things offensive and noxious to one another and to society. The *eyes* may, indeed, be extirpated, and the objects of vision be thereby precluded. But, whilst man has life, no power can eradicate his *faith*, and all that can be effected is to assign its proper objects. In this view of things, although the objects perceived by *faith*, be not the objects perceived by *reason*; yet, in the *application* of them, the *former* become the objects of the *latter*, and the instruments of producing universal benefit. On this account, it is necessary that they be equally applied and directed by the legislature, as those of sense, sensation, and reason.

Should any one poison the source of the New River, which flows to London, and serves the inhabitants; is there a man existing, who would not execrate the executive power of the laws which is to punish that crime, were they not carried to their utmost exertion against so nefarious a being? But it seems that opinions, which *poison* the sources of *moral* and *civil* obligation, and alike destroy the felicity of individuals and of the whole community, are *not* to be restrained by legislative authority; because

that every man has, in religion, a *right* to judge for himself, and to follow the decisions of his own conscience. Abominable contradiction !

There is an error extremely prevalent amongst those who assume the name of philosophers. They would *measure* things by an *inapplicable* standard. The *truth* of marvellous events must be measured by the common *course* of nature, and that course confined to a short duration. But nature is confined to *no* such course. By her laws, the aloe blossoms *not* until it be near an hundred years old. Comets are as natural as the sun, notwithstanding the length of time, between their disappearing and return may be centuries, and the latter is within twelve hours. The epoch, in which the planets are exactly in the same situation, respecting each other and the whole, can arrive but once in many thousand years ; and yet, these are as much in the course of nature, as the life, perfection, and death of an ephemeron, which begins and ends its existence in the same day. Marvellous events are not *supernatural*, therefore, because they are produced but *once* in a hundred or a thousand years. Whenever they are productive of vast and beneficial alterations in the manners of nations, the presumption from their effect is, that they arrive according to the *course* of nature ; like all other things which are destined to the *use* of man, and, therefore, *true* and *right*. Whoever has read and remarked the propitious ends which *religion* has produced, by a proper application of its power to the government of men in all ages, will be convinced, that its influence can never be disregarded by a wise legislature. Numberless are the instances of this truth to be seen in Livy. And Machiavel, who, I fancy has never been accused of *bigotry*, pronounces that, “ among all men, who have been applauded for their “ superior excellence, those are the most deserving “ praise, who have been the heads or institutors of “ religion * :” and, in proof of this opinion, he adduces a variety of facts, and adds, that a multiplicity

* Tutti gli uomini laudati, sono i laudatissimi quelli che sone stati capi e ordinatori delle religioni. Machiavel Discorsi, L. 1. C. 10.

ty of others are to be found in Livy's history of the Romans.

It has been objected by some, that legal and religious institutes do not stand on the like ground of *truth*; because the *former* are the progeny of *reason*, and the *latter* of *illusion*, as they are pretended to have been sent from heaven. Lycurgus, in forming the Spartan government, declared that he received his instructions from Apollo. Was not this *origin*, offered to the *faith*, as truly adapted to establish those laws, as the laws themselves were to the foundation and support of civil government? on that account, ought they to be less considered as the result of reason? Were they not even on that account, more eminently distinguished to have proceeded from that faculty? The legislator knew that the envy of man to man, which frequently precludes the reception of the best constructed laws; might have, otherwise, superseded the most *just* and *reasonable* institutes, he could offer from himself. But the imagination, that they were dictated by a divinity, obviated all that reluctance, which springs in the bosom of the envious, to acknowledge in another man, an understanding superior to his own.

Numa, from a like knowledge of human nature, and for the same reasons, promulged that he received instructions from the nymph Egeria. Were his institutes the *less* reasonable on that account? The Roman history evinces, that Rome was more indebted, for her greatness, to that pacific king, than to all the rest. He kindled that fire of *religious enthusiasm*, and added that *energy* to the *force* of arms, which, incessantly actuating their hearts, rendered them irresistible. By this alone, the Roman warfare was raised to a superiority over all the other nations with whom they were engaged in battle, during several centuries: for, in *military skill* and *personal bravery*, they were equalled by others of the Italian nations.

But there remains another objection, which is offered to any right which the legislature can possess, of establishing a *national religion*, as the guide of *all mens faith*; and this is the right, to which every man is entitled of serving God in his *own way*, and thereby to

obtain his own salvation; and this is called, *liberty of conscience*. But, if any man's *own way* contain such doctrines, as subvert the *very ends* for which religion is established, as an aid to the imperfect power of *morality* and the laws; will they not diminish the *virtues*, the *happiness*, and the *welfare* of the people? If an individual *cannot* be precluded from entertaining such opinions; is he to be indulged with impunity, to promulge such doctrines, because they are his *own*? Certainly, the *conscience* which expects such indulgence, is *not* a conscience that ought to be indulged. Suppose a man should claim a right of forming laws for himself, because his *conscience* will not permit him to observe those which are already instituted; is he to be indulged? But the *salvation* of an immortal soul is a *serious* consideration. It is indeed! But salvation depends *not* on every man's acting according to his *own* conscience; but according to those precepts which are contained in religion. And, if his *own* opinions are such, as *oppose* or *enfeeble* the doctrines, on the obedience to which *his* salvation depends, is he to be indulged with a liberty of following them, because his *conscience* tells him they are *right*; and thereby promote not only his own eternal *perdition*, but *that* of all others whom he may seduce? Can this be a *right* method of serving God, and seeking his *own* salvation? Such an indulgence would be nothing less than a liberty to damn himself and others, according to his *own way*; and to this I have no objection, respecting himself. It shall never be imputed to me, that I refuse dissenters *that* liberty of conscience. Liberty of conscience, serving God in their own way, and, thereby seeking their own salvation, are sounds, which delude the unthinking, and contain no real argument. Legislature must, therefore, institute an *universal* guide in religion, and a *national* conscience, in order, as much as possible, to preserve the subjects in *unanimity*; to be influenced by the same motives; to be under the same obligation to act uprightly; and to support the strength of the state by that *unity* of mind, the bounds of which whoever exceeds in action, becomes the just object of lawful reprehension.

Having

Having, in this manner, delivered my sentiments on the preceding subject, I will now transcribe Dr. Price's definition of *religious* liberty, and examine how far it coincides with what has been said. "Religious liberty," says he, p. 3, "signifies the power of exercising, without molestation, that mode of religion, which we think best; or of making the decisions of our own consciences, respecting religious truth, the rule of our conduct, and not any of the decisions of others. The *force*, that stands opposed to the agent's own will is *human authority* in religion, requiring conformity to particular modes of faith and worship, and superseding *private judgement*, and which, as far as it operates, produces *servitude*." It would seem to be amazing that any man could utter such a definition of *religious* liberty, if the *cause* of it were not, manifestly, a design to let the *subjects* loose from all those ties, which bind them to good manners, to the observation of the laws, to their duty to their sovereign, and to each other. It is, undoubtedly, an obligation on every legislature, to bring, as far as it is practicable, every subject under the *same* coercion to be honest, and, therefore, not to indulge mankind in "making the decisions of their *own* consciences the *rule* of their conduct." Let me, by way of elucidating this matter, introduce the decisions of Dr. Price's friend, *Priestly's* conscience, respecting *religious truth*, as the *rule* of his conduct, which is, that he thinks the soul is not immortal *. And this explains a passage
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* Joseph Priestly, in his introductory essay to Harley's Theory of the Human mind, says, p. 28, "he rather thinks that the whole man is of some *uniform* composition, and the property of *perception*, as well as the other powers that are termed *mental*, is the result, whether necessary or not, of such an organical structure as that of the brain; consequently, that the whole man becomes extinct at death, and that we have no hope of surviving the grave, but what is derived from the scheme of revelation."

Hence it results, that Joseph Priestly is not only a *materialist*, who denies the *soul* to be of a *different* nature from the body, but that it is, also, *not* immortal; and our hope of surviving the grave is derived from the general resurrection of the dead. According to his doctrine, therefore, there is no such *existence* as a *soul*, between

in his Essay on the first principles of government, p. 39.
 " To mention those religious and moral principles,
 " which Dr. Brown produces, as the most destructive
 " to the well-being of society, namely, that *there is*
 " *no God*. So far am I from being of his opinion, that
 " *it is necessary to guard against this principle, by severe*
 " *penalties, and not to tolerate those who do maintain it,*
 " that I think, of all opinions, surely, such as these
 " have nothing formidable or alarming in them." And
true it would be, if his doctrine, that "the soul is not
 " immortal," were also true, there could be no necessity
 to guard against that principle, *that there is no God*. For,
 if the *soul* do not survive the *body*, all religious obligation
 necessarily disappears. What can there exist, to be *hoped*
 or *dreaded*, in *another* world, from *infinite* power, by a
nonentity? and yet, I will risque my life on the event of
 this opinion, that there are *no* small number of men,
 who, on the doctrine of *no* immortality, with liberty to
 propagate and maintain that there is *no God*, could easily
 inflame the populace to destroy the city of London, by
 one general conflagration, and to fill the streets with
 rapine and with blood. The effects of this doctrine,
 although

tween the *hour* of death and the *day* of judgment, at which time
 the man resumes the same *organical structure* of the *brain*. Pre-
 vious to the revelation of the christian religion, which is the re-
 velation, I presume, he would be understood to signify, the *soul* was
 deemed to be *immortal*, in the religions of various nations. Had
 those, who professed such religions, *no* hope of *surviving* the grave,
 because they knew *not*, what was *not* at that time *to be known*, the
 revelation of Christ? but that *revelation* considers the *soul* to be a
distinct being from the *body*, to *exist* after death in a *seperate* state,
 and to be re-united therewith at the resurrection. From revelation,
 then, there can be derived *no hope* of surviving the grave, if the
 soul becomes extinct with the body. This *mode* of Joseph Priestley's
 decision, according to his *own* conscience, is, consequently, no-
 thing less than a despicable evasion of directly pronouncing, that
he believes the soul is *not immortal*. And is not the expression of
 this man, that the revelation is "a scheme," a *project*, which all
 christians believe to be sent by God, to improve their morals on
 earth and thereby to inherit *immortal* happiness, repugnant to every
 idea of that *decency* with which the established religion of all coun-
 tries ought to be treated? is he to be indulged in publishing such
 opinions, as annihilate all *religion*, and lessen the *force* of moral
 obligation?

although they must inevitably destroy the well-being of society, may, nevertheless, be consentaneous with the principles and designs of the said Priestley. But will *human authority*, superseding his *private judgement*, made *public* to the world, be "a *force*," although it stand opposed to *his will*, that would reduce him to *servitude*? if Dr. Price, or any man of his confederates, were to be tried for his life, does he imagine a witness, subpoena'd on his trial, who disbelieved the *immortality* of the soul, and swore on that *book* which is held *sacred* by all that do believe it, and has its principles founded on that immortality, would be under an equal awe and restraint, from delivering a *perjured* testimony, with him who does believe it? are men so *very* honest, that such an obligation to pronounce the *truth* may safely be abolished? to assert the contrary, would be to destroy all difference between *believing* and *not believing*. And, as, on the *evidence* of men, *life*, *property*, *liberty*, *reputation* and all that is *dear* to man, *must* depend, is the *disbelief* of the soul's immortality, a religious *truth*, that ought to rule the conduct of any man, and, therefore, the propagation of it to be *exercised without molestation*? and now let me turn one minute towards that Joseph Priestly. In his address to protestant dissenters, &c. in order to incite them to oppose all those candidates for seats in parliament, who had shewn their zeal for their country in opposition to the American rebellion in the preceding parliament, he tells them, p. 1, "*religious liberty* is the *immediate ground* on which they stand." What horrible self-contradiction does this proceeding include! he first *rescinds* immortality, the ground on which all religion must stand, and then *exhorts* them to *stand* up for *that* religion, which he has virtually pronounced can have no existence. Is he not, therefore, an impostor? Will any one, hereafter, give the minutest credit to the integrity of this man, since he has been *guilty* of so *flagitious* an imposture? will not those, who listen to his principles, become the *voluntary disciples* of iniquity, or *dupes* to the promotion of his abominable designs? is he not an admirable preceptor, to train up youth in the knowledge of their duty to God and to their country? if Dr. Price be the confederate of this man, that alone would be sufficient to

to decide of his principles. But the Doctor has, indeed, sufficiently shewn of what his *own* consist, to leave any doubt of them on the mind of every honest man. Should such opinions, in religion, be "uncontrouled by any "contrary principle?" and would the power, which should inhibit so execrable a doctrine, because it stands opposed to Priestley's will, be a *force*, that would reduce him to *servitude*?

Let us suppose the established religion of a country to be founded on the subsequent articles of belief: that a being, in form resembling the human, animated by a divine soul, had been sent by God, to die for the remission of the sins of men; that the precepts which it contained were promulged in sacred writings, founded on immortality, the *free* agency of man, and his being accountable to God, in another world, for his actions performed in this; that on deeds of charity, and other acts of virtue and beneficence, his future felicity must depend, and that those of cruelty, oppression, and all others proceeding from vice and maliciousness, must bring him to everlasting punishment, in the world to come.

If a sect should start up, which opposed the religion established on this faith, and promulged that men were *not* to be saved by good works, nor damned for vicious, but that they were to be justified by faith alone; that all things, from the beginning, were pre-ordained by God; that no human will, nor deed, could alter one single circumstance in the course of nature, all being predestined to pass in a manner that was insusceptible of change, and, therefore, that man was not a *free* agent; that the deity had, originally, selected a chosen number of persons, to receive the rewards of eternal happiness, at the preclusion of all others; that it was impossible the *elect* could fall from grace, by the commission of any act whatever, or the *non-elect* to acquire it.

If one of this sect should be appointed guardian to a child, and, in consequence of his belief, rob him of his property; murder his mother, because she withheld a large jointure from him; set fire to his neighbour's house, whom he hated, or commit any other of those innumerable enormities, that, by the law, are punishable with death,

death, is he to be suffered to pass unpunished, because he acted "in conformity to the decisions of his own conscience, " respecting religious truth?"

Let us suppose a sectary, of these principles, formerly to have killed his mother, and that he was brought before a court of judicature, to be tried for this stupendous murder; that the name of this man was *Richard Price*, and that he defended himself by such arguments as are to be derived from the principles and definitions of his *name-sake* the Doctor. To the indictment, for the wilful murder of his mother, he pleaded *not* guilty. Two witnesses were brought, who proved the crime, beyond all possibility of exception. The judge then asked him, if he had any thing to offer, in extenuation of his guilt.

Richard Price. My lord, I am a *predestinarian*, an *elect* of God, *justified* by faith alone, and am *incapable* of falling from *grace*. I cannot, therefore, have been *guilty* of a crime, in putting my *parent* to *death*. Every *act* which man can do being *pre-ordained* by God; on that account, I am *no more* culpable in killing her, than a *tile*, which, falling from the house top, had been the cause of it. I acted according to the *decrees* of God: and for *man* to condemn what God has decreed is to prefer the institutes of a *fallible* being to those of *perfect* and *divine* wisdom. And these principles I derive from the doctrines of that *sacred* book, which is the foundation of your lordship's religion and my own: and, in consequence, it must be an *impious* act, in contradiction to the express word of the all-righteous, to *molest*, much more to *condemn* and *put* me to death, for doing that, which I had not either the *will* or *powers* to *avoid*. My lord, it is not my principles of religion, by which alone I am justified in this *act*, which you, of *your* religion, denominate a *murder*. By my right to *moral* liberty, I am equally entitled to it. In the perpetration of this action, it was "the *Brute*, " that overpowered and conquered the *will* of the man." It is, therefore, an *unwilful* act; and I can no more be punished, with *justice*, for what was *unwillingly* done, than a machine, which, in its operation, has been the instrument of death. In further evidence of my justification, my lord, I am entitled to *religious* liberty, which is "the *power* of exercising, *without* molestation, that
" *mode*

“ *mode* of religion which I think best ; or of making the
 “ decisions of my own conscience, respecting religious
 “ *truth*, the rule of my *own* conduct, and not any of
 “ the decisions of others. No man can lawfully surren-
 “ der his *religious* liberty, by giving up the right of
 “ judging for himself in religion, or by allowing any
 “ human being to prescribe to him what faith he shall
 “ embrace, or what mode of worship he shall practise.”

The legislature acknowledges, that men have a right to enjoy this liberty, and it has, accordingly, enacted a law, by which we are *tolerated* to serve God according to the principles which I profess. We have our public places of worship, in which we preach and promulge our doctrines, and we convert many to our faith and opinions. If the law *allows* the *profession* and *promulgation* of such principles, and puts men to death, in consequence of their acting consentaneous with them ; is it not an en- snaring act, that leads them to destruction ; and equal in absurdity to that of giving them food, and then to inter- dict their eating, at the penalty of their lives ? the laws have given me a right of judging for *myself*, and publicly to profess my religion, according to the decisions of my *own* conscience ; and now they are to put me to death, for making *that* conscience the *rule* of my conduct. If killing my mother be, therefore, an *act* that deserves the *infliction* of death, it is the *law*, alone, that is criminal, which granted me the *power* of exercising my religious liberty without molestation. With what colour of justice, then, can I be even *legally molested* for this death ?

Whilst men of my principles were *interdicted* by the laws, *publicly* to exercise their religion, they were, indeed, reduced to *slavery*, by the *force* of *human authority*, requiring conformity to your religion, and superseding *private judgement*. For, as the principles were *forbidden* to be preached, the *acting* according to their dictates was punishable by law, without *absurdity* in the legislature. But at present, to punish men for following the decisions of their *own* consciences, when they are legally entitled to that *liberty*, is not less ridiculous than punishing an arrow, by which a man is slain, and *not* the person, who gave it liberty to fly from the string.

My

My lord, I have now proved that, by the *decrees* of God, I have committed *no* crime; that, by my right to *moral* and *religious* liberty, I have a power of exercising the decisions of my *own* conscience, as the *rule* of my own conduct, and that, by the *laws*, I am tolerated to act accordingly. I cannot, on that account, have committed a crime, in *putting my parent to death*: your lordship will, therefore, undoubtedly, *direct* the jury to find me *not* guilty.

The judge was of a different opinion. The jury, without leaving the court, pronounced him *guilty*; with the unanimous approbation of all who were present, the patriots excepted.

When Richard Price was brought to receive his sentence, the judge asked him if he had any thing to offer, why it should not be executed. Richard was again beginning his old arguments; when the judge said, Richard Price, I can hear no more such absurdities. According to your religious principles and notions of moral and religious *liberty*, no man can commit a *punishable* crime; but you are mistaken in your definition. *Passion*, or the *brute*, as you call it, does *not conquer* but *create* the *will* of the man. Your deed was, therefore, *wilful* murder. By your definition of religious liberty, every thing that destroys the principles, and subverts the ends, not only of religion, but of moral and civil obligation, is to be justified: and certainly a man may *lawfully* surrender that religious liberty of judging for himself, unless he can have a right, from religion, to act in contradiction to the express law of God. *Thou shalt do no murder*. You seem to have forgotten the commandments of God, whilst you assert, that you have acted according to that which he has predestined. But it so happens that the doctrine of predestination, if it be your *defence* for the *murder*, is that of the *legislature* also which enacted those laws, by which you are to die. You are, therefore, sentenced to death, by laws made according to the decisions of your own conscience, and the tenets of your own religion.*

On

* I readily foresee, it will be objected to me, I have done the Doctor injustice, in making one Richard Price, who is a predestinarian,

On the day of execution at Tyburn, Richard died, as he had lived, pertinaciously persisting in his *innocence* in the murder of his mother. "I acted," says he, "according to the *decisions* of my own conscience, respecting religious truth. Truth is too sacred to be abandoned. I cannot lawfully surrender my religious liberty, and give up the right of judging for myself; or allow any human beings to prescribe laws for my principles and mode of worship. I am, therefore, *innocent*. I die a *victim* to persecution, and *injustice*; and a martyr to my faith. The laws, that opposed my being found not guilty; are a force, that reduced me to a slave. But mourn not for me, my friends! I am an elect of God; by him predestined to immortal happiness. I cannot fall from grace. I am justified by faith. I pray God to forgive the judge and jury who have pronounced my sentence, they only obeyed the laws which the parliament enacted, to permit us to think for ourselves, and publicly to profess our religious faith; and then put us to death for following the dictates of our consciences. I am now going to the mansions of eternal bliss, and like the Evangelist

narian, to apply, in defence of the decisions of his conscience, the definitions of moral and religious liberty, of the other Richard Price, who asserts *free agency*. But it is evident that, although the Doctor may be of the latter opinion, his definition of religious liberty is equally applicable to the justification of predestination and free will. "Religious liberty," says he, "is a power of exercising, without molestation, that mode of religion which he thinks best; or of making the decisions of his own conscience, respecting religious truth, the rule of his conduct, and not the decisions of others." The decisions of Richard Price, the predestinarian's conscience were, that there exists no free agency. He had, therefore, an equal liberty to follow his decisions, respecting religious truth, and to make them the rule of his conduct, with Richard Price, whose decisions are, that man is a free agent; and, therefore, the former has an equal right with the latter, to defend his opinions and conduct, by arguments founded on the Doctor's definition of religious liberty. Hence it results, that predestination and free will, both of which cannot possibly be true, are, nevertheless, religious truths, because they are consequent of the different decisions of two different mens consciences: and not because one is applicable to the promotion of morality, and, therefore, true or right, and the other subversive both of religion and morality, and, therefore, false or wrong: and this is not the least of Dr. Price's absurdities.

gelist St. John, to lie in the arms of my blessed Saviour.

But let it be granted, that all men have a right to judge for themselves; and to exercise that mode of worship which they think *best*, as a religious truth. There are those who think, that man is a *free agent*, and responsible for his actions. *Predestination* and *free will* are such palpable contradictions, that both cannot exist.

As no party ought to be the judge in his own cause, let us appeal to Dr. Price's tribunal of *reason* and *justice*, for a decision. Will *reason* and *justice* pronounce, that religious principles, destructive of every *physical*, *moral*, and *civil* obligation, ought to be *tolerated* and *promulged*, under the pretext of their being the *decisions* of *one man's* conscience and of *private* judgment; and that such liberty ought to be allowed, under the *name* of religion, which annihilates religion *itself*, and is repugnant to every *right* that man enjoys, in consequence of his *other* attributes? Or, will not *reason* and *justice* rather declare, that *such* tenets and doctrines cannot be contained in the *word* of God, because the divine being cannot have promulged such doctrines as *true*, which oppose the injunctions of his *own* commandments; and are destructive of those ends, for which religion was revealed, the security and happiness of man? And, as no human authority can prevent a man from thinking for himself and making his own decisions, in affairs of *civil* more than of *religious* liberty; is it not as fairly to be inferred, that a man has *a right* to make the dictates of his *own* conscience his *rule* of conduct as much in *civil* as in religious subjects? If any one shall conclude, that no human authority can have a right to appropriate the earth, which God hath given alike to all men, in different portions, as the property of individuals; has he a right, because the decisions of *his own* conscience are to be the rule of his conduct, to invade another man's property? Would not such a proceeding, be a violation of civil liberty? Is this man, therefore, not to be punished by law, for this outrage, because he acted in consequence of his right of judging and deciding for himself? If the thought cannot be prevented by human authority; certainly the actions ought to be punished; and the operations of such a con-

science be so far prevented. In like manner, although religious opinions cannot be precluded by human authority; ought not the promulgation of them to be prohibited? No man can have a juster right to any thing, than the *liberty* of exonerating himself. But shall he, for that reason, be permitted to do it in the streets, and to spread contagion and disease, by his *ordure*, through the city? Can it be a part of civil and religious liberty, to poison the morals of all mankind? or is it less pernicious than the preceding, respecting their health. It is, therefore, as indispensibly the duty of the legislature to prevent the exercise of such a religion, to prescribe what *faith* a nation shall embrace, and what shall be the *môde* of worship which it shall practise, as to prevent infection, by *slink* and *ordure*: and, by these means, unite the efficiency arising from *physical, moral, civil, and religious* liberty, to the same ends of *civil* government. Without this *union*, no state, hitherto, *has* been, or ever can be righteously administered, or long subsist. If the wisdom of those nations which were *free*, according to Dr. Price's definition of liberty, may be a precedent of any weight; it is certain that the Athenians and Romans, whose religions were *Polytheism*, by *express* laws, prohibited the contempt of the holy mysteries; the consecration of new Gods; erection of temples and altars; and introduction of new ceremonies into divine worship, without the approbation and consent of the legislature: and many are the instances, in which persons have been punished for their disregard to that human authority*.

Hence it is evident that, according to Dr. Price's definition of *moral* and *religious* liberty, there never could have existed, nor ever can exist, a religion that ought not to be tolerated. Because *religious* liberty signifies "a power of exercising, *without* molestation, what every man thinks right, and the *force*, which stands opposed to it produces *slavery*." What an impious doctrine! As a consequence of *his* definition, when parents were interdicted from sacrificing their *own* children, in the temples of Moloch in Asia; and of Saturn at Carthage,

of

* Potter's Antiqu. p. 105, 145. Tit. Liv. L. 9.

of men in those of the Druids, and of many other nations; the people were reduced to *slavery*, by the inhibition of these horrid rites. When the *Polytheism* and *idolatry* of the Greeks and Romans, and of other European nations, were suppressed by the christian religion; it was a *force* that reduced these nations to *slavery*. When Hiero, sovereign of Syracuse, would make peace with the Carthaginians on *no* other terms, than those of their desisting from *human sacrifices*; Hiero, was a tyrant, that so far reduced them to slavery, by preventing the effusion of the blood of innocents. Should the worship of the *Daili Lama*, who sits, cross-legged, on a throne; or of the *Fetish*, that creeps upon the sands of Guinea, whom the Tartars of Tibet, and the negroes adore, as *Deities*; and the exercise of all other religions, however absurd, be introduced into this kingdom; must they be permitted, without *molestation*, because, by the professors of them, they were thought the *best*, were decisions of their own consciences respecting *religious truth*, and made to be the *rule* of their conduct? Such however is the *interior doctrine* of Dr. Price's *religious liberty*; and a man may as well look into *hell*, as into these *diabolical principles*, without horror.

Such are the genuine results from Dr. Price's definitions of *his four liberties*; and then he adds, p. 5, "This it is," he thinks, "that marks the limits, or that lays the line between *liberty* and *slavery*. As far as, in any instance, the operation of any cause comes in, to restrain the power of self-government, so far is *slavery* introduced:" nor does he "think, that a preciser idea, than this, of liberty and slavery, can be formed." Such are the notions of this Doctor. Notwithstanding which, I trust that it has been proved, that both *liberty* and *slavery* are incompatible with his definitions. And, in fact, that the name of *liberty* is due to that which he calls *slavery*, and *slavery* to that which he calls *liberty*.

I shall now follow the Doctor, in a kind of parody of the paragraph, p. 5, which contains his wish. I cannot help wishing I could here fix my reader's attention, and engage him to consider the *execrable*ness of that *curse*, to which the Doctor gives the name of

liberty. According to the representation he has made of it, there is not a word, in the whole compass of language, which expresses so much of what is *detestable* and *nefarious*. It is, in every view of it, a curse on man, which is truly *impious* and *infernal*. By his *physical liberty*, man would be a tyger, let loose to universal slaughter, to unnatural lusts and every abominable deed. With his *moral liberty*, he would be a detestable being; reduced to a *brute*, justified in the tyranny of his vile lusts, and the sport of every appetite. Hence, *murder*, *conflagration*, *rapes*, *robberies*, and all other crimes would be *unwilsful* acts; the agents would be acted on, as machines, and would be unanswerable for their transgressions; and thus, his *moral liberty* strengthens and confirms the destructive principles of his *physical*. By his definition of *civil liberty*, that very liberty would be exterminated. And these, united with his *religious liberty*, make man a poor, abject animal, without rights, without property, and without a conscience; bending his neck to the yoke of *irreligion*, and crouching to the will of every *filly creature*, who has the insolence to pretend to seduce him from his duty to God and man, and to support the cause of *rebels* and their *abettors*. Nothing, therefore, can be of so much prejudice to us, as the Doctor's *liberties*. They are the foundation of *dishonour*; and the chief *infamy* and *disgrace* of those, whose nature prompt them to such definitions of liberty.

SECTION V.

Of civil liberty, and the principles of government.

THE Germans, having quitted their native soil and overrun the other states of Europe, carried their own laws into every realm they conquered. Vengeance was still permitted to the injured, if the aggressor refused to compensate for the wrongs which he had done, and
sums

sums of money were, by law, expressly stipulated for almost every misdeed and injury that could be committed, even for homicide itself. The conquered and their progeny were the slaves and property of their masters. But, as the dominions which they subdued had been long divided into private and fixed property, they quitted the vagrant life of annually moving from one part to another, and assumed the lands and houses of the conquered. These, and the kingdom itself, at length became hereditary. Money, also, having been established as the universal exchange for all other things, in those states, was still continued as the value of them.

In this place, it may not be improper to observe, that, the right of every man's executing his own vengeance; and the payment of sums annexed to the commission of homicide and other enormities, which permitted the opulent to slay, or otherwise oppress the poor at the expence of so much money, and slavery, were abolished. The distribution of law and justice was committed to magistrates appointed to that purpose. All this was done by representatives not elected by a majority of that people, which had departed from their ancient and *only free* government, according to Dr. Price. These alterations, therefore, could not constitute a part of *civil liberty*. But, of the rectitude of the Doctor's notions, or the uprightness of his heart, let the reader judge.

In p. 6, when Dr. Price says, "All civil government, as far as it can be denominated free, is the creature of the people:" if he mean, by this, the people, in contradiction to the legislative power, I have already shewn it to be a fallacy. If he include, in that assertion, all the individuals of the state, it can mean no more, than that what is done by *all* is the creature of *all*, which no man will deny; and in no sense does it contribute to serve him. That "it originates with them," has been already proved to be a mistake. That "government is conducted under their direction," I have already disproved; they, themselves, being uniformly conducted by a *few*. I agree with him, however, that "government *ought* to have in view nothing

“but the people’s happiness,” including all parts of them.—“All the different forms of government are no more than so many distinct modes, in which they chuse to direct their affairs, and to secure the quiet enjoyment of their rights.” That a different *form* is a different *mode*, I readily allow: but I have already shewn that no such government can exist, in which the form is *chosen* by the people, unless all but *one* man more than one half of them can make the *whole* people; nor even in that case, because their opinions ever have been, and ever must be, directed by a *few*; and, therefore, the former can have *no* choice.—That, “in every free state, every man is his own legislator,” is an error that has been already refuted; unless the man that votes *against* a law, can be the *maker* of it.—“All taxes are free gifts from the public.” Taxes being compensations, by money, for the remission of *suit* and *service* to the state; and that which is paid in money standing in the place of service, by what means can taxes be a *free* gift?—“All laws are particular provisions, or regulations, established by *common consent*, for gaining protection and safety.” Not if these laws are contrary to the rights and liberties of mankind. Were the German, the Athenian, and the Roman laws, established by such *consent*, provisions for giving protection and safety to the people?—And lastly, says he, “All magistrates are trustees, or deputies, for carrying these laws into execution.” Whilst sovereigns remained elective, they might be considered as trustees, but not deputies. Unless those, whose superior understandings had obtained them that rank, and conducted the executive power, with such wisdom as the people were unable to afford, can be said to be *their* deputies, in opposition to the laws of nature, by which a *less* degree of intellect is *deputed* to be subordinate to a *greater*.

“Liberty, therefore,” says he, “is too imperfectly defined, when it is said to be a government by laws and not by man.” That liberty does not consist in a government formed by laws is certain, but in the people’s being governed by *just* laws, whatever be the form of government. That it cannot consist in being governed by men is evident, because all states are so governed: and, there,

therefore, according to this doctrine, all states would be *free*. I confess, the antecedent distinction seems to me to be an absurdity; since, in all *free* states, all men must be governed by laws, and not by men in contradistinction to laws. And, if the contradistinction be what the Doctor would mean, then has he erected a government solely dependant on the *will* of men, uncontrouled by laws, which is, certainly, the definition of a despotic government. "Hence it is evident that, if the laws are made by one man, or a junto of men, in a state, and not by common consent, a government by them does *not* differ from slavery." This would, indeed, seem to be extremely paradoxical, in any writer who was not all assertion and paradox. Because, by this union of laws and men, the government which constitutes a state of *liberty* is perfect, and yet, the Doctor tells us, such a government does *not* differ from slavery. I confess this would be self-contradiction in another man. But neither *laws* nor *men* can constitute a *free* government, unless the laws be just, and all the constituents obliged to observe them: and, if that end be effected, by *one* man or a *junto*, the state is in the enjoyment of liberty.

To the preceding passage, the Doctor adds, p. 7, "From hence it is obvious, that civil liberty, in the most perfect state, can be enjoyed only in small states, where every member is capable of giving his suffrage in person, and being chosen into public offices." From what has been laid down, in the definition of liberty, by the Doctor himself, liberty cannot depend on the capability of giving a suffrage; because, in that case, unless all the constituents be unanimous in their votes, the minority, in every suffrage, must be reduced to *slavery*, by that force, which opposes their being governed by laws according to their *own* wills, as it has been already evinced.

But the Doctor continues: "When a state becomes so numerous, or when the different parts of it are removed at such distances from one another, as to render this impracticable, a diminution of liberty naturally arises. There are, however, in these circumstances, methods, by which such near approaches may be made to public liberty, as shall answer all the purposes

“poses of government, and, at the same time, secure every right of human nature.” As I would not willingly misunderstand the Doctor, I shall suppose that, by a *numerous state*, he means a state with numerous constituents. And, although the *removing* of the different parts of it to great distances can, legitimately, signify nothing, but *moving* them from the places they had *formerly* occupied, which seems to be a thing *not* easily to be accomplished, yet, these parts shall be understood, as *lying* at such distances as the Doctor says. Yet, I confess, I cannot comprehend, how such *near approaches* to perfect liberty can be different from perfect liberty itself, when these methods, which make these approaches, “answer all the purposes of government, and, at the same time, secure every right of human nature.” Is not this *approach*, then, to perfect liberty, that perfect liberty itself, at which it is *not* arrived? or is there a liberty, which can secure *more* than *every* right of human nature? and, since those methods, which produce this near approach to perfect liberty, do actually secure *all* the *rights* of human nature, it seems inexplicable, how the *most* perfect degree can be enjoyed only in small states: unless a small state can enjoy a *more* perfect degree, than that which is perfect in a greater state.

And now for the revelation of these methods. The Doctor tells us, p. 7, “Though all the members of a state should not be capable of giving their suffrages, on public measures, *individually* and *personally*, they may do this by *substitutes* or *representatives*.” I imagine that this is attended with much more difficulty than he is aware of. Let me suppose a *state*, for the Doctor avoids the name of *kingdom*, from his affection for *kings*, whose name, I imagine, he would not take *in vain*, and I am not willing to offend so sound a *patriot*, to be seven hundred miles long and four hundred miles broad, that this state includes six million of people. One half of these being females, the males consist of three millions, and one half of these being under twenty years of age, as Davenant states it, in his essay on the probable means of making a people rich, the voters will consist of one million and a half. Must all these come, from all the parts of the kingdom, to vote per-

personally for all their representatives? I fancy, this may be deemed impracticable. But, then, the state may be divided into districts, and each district may send its separate members. Let us, then, suppose six hundred representatives to be elected, and the state divided into one hundred districts, and, every district to contain an equal number of electors. Every district must, consequently, send six members to the national senate: it will thence result, that 99 counties will be represented by 594 persons not elected by them, and 99 in every hundred of the people will not elect the men who are to be the representatives of all. Hence it is evident, that 99 parts in 100 of the people, exclusive of the minority, will not be represented, because there is a *force*, that opposes their wills, in not being permitted to vote for the whole six hundred representatives: thus every district will, at once, be in perfect liberty, respecting the election of its *particular* representatives; and the whole state reduced to *slavery*, by the individuals of the several districts being inhibited from electing in the others, or opposed in the election of their own, by a majority in each district: and thus, in each district considered *singly*, all will be *free*, and in the aggregate, all will be *slaves*, according to the Doctor.

It is true that all the electors, voting for the whole six hundred representatives in their respective districts, may, each of them delegate a certain person or persons, to carry the suffrages of the whole to any place, appointed to that purpose. But, in this case, few of them can know even the persons of those whom they are to elect, beyond those of their own particular district. And, as there may be 1200, or 12000 candidates on a general election, by what means shall all the electors of the districts be acquainted with the characters of those, who are proper for that important charge, and who are not? the confusion and embarrassment, which must thence arise, are not easily to be imagined. Do such circumstances promise a judicious choice of the most adequate men? in fact, the very stating of the case shews its impracticability, and, consequently, its absurdity.

Such is the Doctor's method of *approaching to perfect liberty*, which is perfect liberty itself, and yet, it is a diminution

minution of that very *perfect* liberty to which it is arrived.

He continues : “ they may entrust the powers of legislation, subject to such restraints as they shall think necessary, with any number of delegates, and whatever can be done within the limits of their trust may be considered as done by the united voice and counsel of the community. In this method, a free government may be established in the largest state.” They may do so indeed : but, as these are *may-be’s*, they may also may be *not be’s*, and I leave the reader, to decide on which side the probability lies.

As to the Doctor’s chimera, of forming one free state out of all the states of Europe, by representatives from them all, I shall leave him to determine the probability of its taking place, from a calculation of the chances in favour of such a swivel-headed scheme, and those against it, on *imaginary* data, as he hath already done respecting the payment of the national debt. And, when he has performed the task, it shall remain unnoticed.

It is an admirable and magnanimous scheme I acknowledge, “ to give liberty to all Europe ; to gather the scattered force and abilities of a *whole* continent into *one* point ; to settle all litigations, as they rise, preserve universal peace, and prevent nations from *any more lifting up the sword against nation*.” To this scheme, however, there seems to be *one* objection at least, that it is *morally impossible* ; but it is *patriotic*, and that suffices.

Page 9, he adds : “ I have observed that, though, in a great state, all the individuals that compose it cannot be admitted to an immediate participation in the powers of legislation and government, yet they may participate in these powers by a delegation of them to a body of representatives.—In this case, it is evident that the state will be still free, or self-governed, and that it will be more or less so, in proportion as it is more or less fairly and adequately represented. If the persons to whom the trust of government is committed hold their places for short terms ; if they are chosen by the unbiassed voices of a majority of the state, and subject to their instructions, liberty will be enjoyed in the highest degree.” From hence, it is manifest, that

that Dr. Price considers *Britain* as no free state, because the majority of the people do not elect: and yet, this very doctor, p. 33, asserts, "that Britain is a *free* country." But this will appear to be a slender self-contradiction, in comparison with those which will be seen hereafter. It is *free*, then, in direct opposition to that circumstance, which is indispensable in the constitution of a *free* government. The Doctor is to reconcile this absurdity, or to renounce his definition of a *free* state.

But whence does it arise, that the *adequateness* of representation consists in the members being *chosen* by a *majority* of the people? can the numbers, by which a representative is elected make him *adequate* to the trust? then the most consummate fool, the most abandoned betrayer of the people's rights, the most notorious, *bond-burning* felon, so chosen, must be adequate to the trust of legislation. Hitherto it has been thought, that superior understanding, and unshaken integrity, have been the qualities that can, alone, render a man *equal* to the legislative authority. But the Doctor has discovered, that the *adequateness* of representation consists in those who do *not* represent, and *not* in those who *do*.

With respect to the Doctor's practicability of electing the members by an *unbiased* majority of the people, I hope that evidence has been adduced, from the nature of man, and from experience, derived from the conduct of those people, by whom laws were enacted in the freest states of antiquity, sufficient to prove, that laws neither can, nor ever have been instituted, by a majority of *opinions* but of votes; arising from a confidence in those by whom they have been led and directed; and that, in like manner, the representatives will be elected. And I appeal to the judgement of all men, whether the people, at large, would be better qualified to determine of the properest men to be entrusted with the powers of legislation, than those who now elect; not to say that the thing is impracticable, because every man in Britain must give a separate vote for each of the five hundred and fifty-eight representatives, with whose person and character the greatest part of the electors must be totally unacquainted. For, certainly, a majority of no *one* county, city nor borough can have a right to elect those who are
to

to represent the *whole*, without the consent of the rest. In what manner, then, can the *adequateness* of representation be improved, by elections made by a majority of the people? will those, who are *now* precluded, and are the *least* instructed of the community, encrease the *stock* of understanding beyond that which the electors *now* possess? will it enable them to distinguish, with more precision, the wisest and most honest men? will they be more unbiaſſed, or less under the direction of those who *now* direct in all elections, than the present electors? will not the same men, at least the greater part of them, be returned, by every county, city and borough, who are now chosen in the present way; or when dismissed, will their places be supplied by others, more capable of the charge? how, then, can an universal right of voting improve the *adequateness* of representation, or increase the *liberty* of the people? for such is the fact, that, when the Doctor stiles that a *free* state, enjoying civil liberty, in which the representatives are chosen by a majority of the people, he *violates* his own definition. In page 3, he says, he “means to apply to *civil* liberty all he shall say “of the other kinds of liberty.” He has said, “in all “these cases, there is a *force*, which stands opposed to “the agent’s *own* will, and which, as far as it operates, “produces *servitude*.” Hence, does it not result, that all those, who are represented by men for whom they could *not* vote, their votes being confined to a single county, city or borough, and all who opposed them in their particular places of election, are reduced to *slavery*. Can men, so chosen, be an *adequate* representation, according to the Doctor’s method of a *majority*: and will that state be *free* or *self governed*, when those who voted against them, and those who did not *vote* for them, are represented by the persons so elected? adequateness of representation, therefore, cannot consist in being chosen by a majority. *Civil* liberty is, consequently, no more invaded by delegating, to the *minority* of a people, the right of *electing* for the whole community, than to a few the right of *representing* that community. The fairness and adequateness of representation, by whomsoever the members are elected, consist in the *elected* being of intelligence equal to the duty; in being upright in the discharge

charge of it; and in their being alike the representatives of every individual in the whole community. That such they are, respecting the last requisite, in this kingdom, is inadmissible of contradiction. The town, which sends no members; the meanest man, who has no vote, have equally a right to be governed by just laws, to apply to the commons, and to be relieved, on petition, with the great city of London, and the lord mayor himself. In this alone consists the being *fairly* and *adequately* represented.

But it seems, "the shortness of the time in which the "members hold their places," is another means of the people's being *adequately* represented. This militates against the Doctor's definition of liberty. For, therein, it is the election by a *majority* that, solely, constitutes a *free* and *self-governed* state. How, then, can the shortness of the time make that state more *free* and more *self-governed*, wherein the members are so elected? will the people become wiser by one year's experience than by more; and, if they reject the old members, will they be more discerning in the choice of the new? will the shortness of the time impart to these members a legislative knowledge more adequate to their charge than a longer? will it change their hearts, erase the desire of riches and render them more honest than at present? or will the election of the members, for a short time, make them representatives for *more* than *all* the people, and, thereby render them more adequate? but let me recur to the experience of antecedent ages. In the reigns of Edward the second, and Richard the second, there were, at least, as many new parliaments as years; and yet in no other æras was the nation so calamitously involved in ruin and distraction, nor were there such flagrant contradictions in one parliament to those which had been enacted in another. Can any man, therefore, believe that the shortness of parliaments will encrease the *civil* liberty of the people?

Notwithstanding the preceding opinion of Dr. Price, relative to the advantages to be derived from short parliaments, from what he says, p. 18, that, "should any "events ever arise, which should render the same opposition necessary that took place in the time of king
" Charles

" Charles the first, and James the second," he is " afraid
 " all that is valuable to us will be lost." I am persuaded,
 that such another as the *long* parliament, which establish-
 ed an *eternal* house of commons, and rescinded all right
 of a *general* election from the people, murdered their so-
 vereign, and subverted the constitution in church and
 state, is what he would *now* prefer to all others, however
 short might be their duration. All that was *valuable* was
then lost indeed : and so it would have remained, had not
 the *fanatic* democratics, and their presbyterian govern-
 ment been driven, from their *rebellious* usurpations, by
 the restoration of Charles the second, and of the ancient
 constitution of the realm. Such were the preceding mis-
 chiefs, which were introduced in the reign of the first
 Charles. Is the Doctor now *afraid*, that the remnant
 of them will be lost in this of George the third ? happy
 nation, could that arrive ! the seeds of rebellion would be
 then extirpated ; peace, harmony, and *real* liberty would
 be established, and His Majesty's fame be exalted above
 that of all his predecessors. But it is the apprehension
 of those who love their country, that as the descendants
 of the old republican fanatics are now labouring to a like
 end with that of their rebellious ancestors, they may
 again prevail, to the ruin of all that is dear to good sub-
 jects ; unless a more active vigilance, and stronger ex-
 ertion of the executive power be speedily put in practice.

But it seems, " they must be chosen by the unbiassed
 " voices of a majority of the state, and subject to their
 " instructions." On what an impossible *if* is this liberty
 to be founded ? In order to render men *unbiassed*, interest,
 dependance for bread, and want must be banished from
 the state. Love, hatred, ambition, envy, hope, fear and
 every other passion and desire must be extirpated from the
 heart ; ignorance, imbecility, and prejudice from the head,
 and all men be *new made* and reduced to a perfect impar-
 tiality before they can be fit to vote. It was an *impious*
 expression of one of the Spanish kings, that, had he been
 present when the Almighty framed the universe, he
 could have advised him how to have done it better. It
 is not impossible the Doctor may be of the same opinion
 respecting the formation of man ; since he accuses his
 maker of mixing so much of the *brute* in his composition,
 and

and expects from him what he was never intended to perform. If we never have a new house of commons till it be chosen by *unbiassed* men, the present, like the old presbyterian *Rump*, or the *Whig* parliament, in the reign of George the first, must protract their time *without* the consent of the people: and sit to all eternity, if they can: or we shall have no more representatives.

But these members, so chosen, must "be subject to" the instructions of a majority of the people also, What blessed instructions would be then transmitted to parliament! would not the Cornish men instruct the commons to permit nothing but pewter; the Staffordshire men nothing but their earthen ware, to be used in household and other utensils, to the exclusion of each other and of all plate, porcelaine and other utensils made of different materials. The silversmiths, chinamen, and others, would instruct them to abolish the use of the preceding utensils. The Northumberland men would instruct them to prohibit the use of all fuel but coals, and those of the woodland counties all but wood. All counties, cities and towns, all the bodies corporate in trades, merchants, manufacturers and others would be eternally instructing the house to promote their particular interests, and to oppose those of all the rest. And thus, in consequence of these reciprocal contradictions, improper laws would be enacted, or none at all, until a majority of the people could be of one opinion; and then, by Dr. Price's definition of *civil* liberty, all the minority, by the *force* of the majority, which opposed and defeated their *discretion* and *will*, would be reduced to *slavery*. Yet according to the Doctor, were the people thus permitted to be eternally at cross purposes with each other, "liberty would be enjoyed in its *highest* degree." But the Doctor has said it: the patriots affect to believe and propagate it: the city gives gold and liberty: and yet, could his vagaries be carried into execution, the nation, in one session of parliament, would discover him to be either ignorant or deceitful; and the people stone him, as he passed the streets, for the evils which he had brought upon them.

To the preceding passages he adds, p. 10, that, "if they are chosen for long terms, by part only of the
"state,

“state, and, during that term, they are subject to no
 “controul from their constituents, the very idea of li-
 “berty will be lost.” I believe that to be true respect-
 ing the Doctor and his confederates, who seem to have,
 already, lost *all idea* of liberty, by forging and espousing
 such definitions of it. But others have an *idea* remaining
 in their memories, although the *thing* be lost which ori-
 ginally produced it. He continues,—“and the power of
 “chusing representatives become nothing but a power,
 “lodged in a *few*, to chuse, at certain periods, a body
 “of masters for themselves and the rest of the commu-
 “nity.” *Oh poor old England!*

With respect to the duration of the time of their
 being representatives, I have already spoken; and shall
 only add, that the shortness of the duration, will not
 render the members less their masters. With respect to
 their being chosen by a few, it has been shewn that,
 were they chosen without one dissenting voice, that *una-*
nimity would be, nevertheless, a mere delusion; that
 they would, in reality, be elected by a *few*; and that it
 never can be otherwise. But this Doctor should know
 that, by the very essence of representation, their consti-
 tuents can neither legally instruct, much less controul
 their delegates; for, being once elected, the people have
 consequently conveyed to them all the legislative right
 which they enjoyed. To *reserve* a right to transmit in-
 structions, with injunction for their being obeyed; or to
 controul the members in what they are about to do, is a
 reserve of power which is *incompatible* with the idea of
 representation. It includes a right of doing all the com-
 munity can justly do; otherwise, they would not be the
locum tenentes, but the *servants* of the people. And that
 they are the latter, is a general error, which hath arisen
 from the idea of their serving in parliament *for* such a
 county, city or borough, and not serving *for* either of
 such places; whereas, in fact, this *service* is a remnant
 of *that* service which was due to the King, from those
 who held their lands immediately from the crown, by
suit and service; and the members perform that *service for*
 or in place of their constituents; and, thus, they are not
 servants, but representatives of them. For, surely, his
 Majesty and the peers would *not* meet, on an equality of
 legislation,

legislation, the *servants* of a majority of the people, the greater part of which *majority* would, necessarily, consist of men of the meanest understandings, education, birth, and smallest property in the kingdom; nor would the King, in his speech to the *servants* of such a *majority*, address himself, "My Lords and Gentlemen."

When the representatives were paid by their constituents, for their attendance in parliament, it was not as *servants* to the places for which they were chosen; but as to men who *served* in the places of *all* those who had the right of election. And, therefore, that which was a duty to which the whole number were subject ought to be performed at the expence of the whole. Or, anciently, who would have done for *them* the service which they owed to the state, and which they must otherwise themselves have done?

Let me illustrate this by a *patriotic* instance. When the *sapient* Frederick Bull was chosen *locum tenens* of the *honest* John Wilkes, to the immortal honour of the city, Lord Mayor of London, was Frederick to be *instructed* or *controuled* by John? Had not the *latter* conveyed to the *former* all the authority of his magistracy? Otherwise, could he have been the *locum tenens* of that *illustrious* magistrate? If the contrary be supposed, then was Frederick Bull the *tool* of John Wilkes: an idea so disgraceful to two such distinguished patriots, that I hope no man will believe, the *honesty* of John is capable of so disingenuous a behaviour, or the *wisdom* of Frederick susceptible of becoming his *dupe*.

I solemnly aver that I have not the least design, in this essay, to attempt an abridgement of the liberty of my fellow subjects, in defence of which I have already *suffered*, and am, and will be, at all times, *ready*, again, to suffer. And let those, who attribute my defence of the legislature to a *pension*, be assured, that it arises not from that motive. My whole intent is to ascertain in what these liberties consist; to obviate the clamours of factious men, alike the enemies of their country and of human kind, and to shew what are, and what are not, the *rights* of the people, respecting *physical*, *moral*, *civil*, and *religious* liberty. I, therefore, frankly confess, that, although the constituents have *no* right to *controul* or *in-*

struck their representatives; yet, by the very essence of representation, or of being put in the *place* of the *people*, their delegates can have received *no* authority to injure or oppress them, with *impunity*. Because it cannot be conceived that men, who have *no* power to injure or oppress themselves, without feeling the *infliction*, can have *imparted* to others a power of doing it; free from those penalties to which every individual is subjected, by the laws of nature; on which all others ought to be founded. But then, ought not the actions of those representatives to be examined and adjudged; before they are brought to punishment? By whom shall this be done? Not by a majority of the people, because the same people cannot *justly*, be, at *once*, both *accuser* and *judge* in their own cause. That would be tantamount to a condemnation before trial.—Not by the Lords; because, in this case, being no more than a part of the legislature, equal with the Commons, to permit *them* such an authority, would be, in fact, to acknowledge their *superiority* to the representatives of the people. And, in all cases of enquiry into the actions of the Commons, the *law* must have been *previously* passed; and therefore, the Peers being equally interested in the event, a permission of them to determine would be equal to that of trying *themselves*. The result of this, it is easily foreseen, would be, *not guilty*. The King, also, being in a like predicament with the Lords, as being part of the legislative power, can no more be judge than they. As to a trial by the judges, there is no law existing, nor ought to be, by which a House of Commons, or any of the three legislative estates, can be tried. For it would be repugnant to the nature of government, that those who are destined to observe and execute the laws should sit in judgment on the makers of them. Happily, there is no need to establish a tribunal for the judgment of the Commons. Whenever they so far exceed the bounds of representation, as to bring universal misery and oppression on the nation; the laws of *nature* will supersede the laws of the state, rouse and justify the people in seeking redress and justice by the sword. But in all such cases, in this constitution, their wrath should fall on the *electors*, who have been the *first* cause of their miseries,
by

by chusing such miscreants to superintend and preserve the rights and liberties of a nation.

The Doctor proceeds, p. 10. " If a state is so sunk, that the majority of the representatives are elected by the meanest persons in it, whose votes are always paid for; and if, also there is a higher will, on which even these mock representatives themselves depend, and that directs their votes, in that circumstance, it will be an abuse of language to say the state possesses liberty." In this place, the Doctor seems to have forgotten of what a majority of the whole people must consist. Davenant in the table D, in his essay on the probable means of making a people gainers in the balance of trade, divides them into two divisions, as heads of families. The first consists of peers of all degrees, baronets, knights, esquires, gentlemen, persons in offices, merchants, lawyers, clergymen, freeholders, farmers, persons in liberal arts and sciences, shopkeepers, tradesmen, artizans and handicrafts, naval and military officers.

The second division, as heads of families, consists of common seamen, labouring people, cottagers, paupers, and common soldiers. Let none of the first division be deemed to be such as are of the meanest of the people, and the latter to be *all* so considered. And then let us see what will be the proportion of the former to the latter, were they all to vote for representatives of the kingdom.

The number of persons in the kingdom	5,470,520
Deduct one half, for females, there remain, Males	2,735,260
Deduct one half, for persons under age, there remain of persons entitled to vote	1,367,630
Of the two divisions, of heads of families, mentioned above, the first consists of	500,586
The second division	849,000
Total	1,349,586

But, as, in the families of the first division, there must be a great number of servants, above age, of no higher degree than those persons, of whom the second division consists; and, therefore, of the meanest of the people; let us suppose that their number, at an average of one to each family, amounts to —

500,586

To these must be added the heads of families in the second division, being —

849,000

Total 1,349,586

According to this calculation, the number of voters in the kingdom is —

1,367,630

Deduct the above number of heads of families in the second division, and servants of those in the first —

1,349,586

Remain 18,044

Thus, there still remain 18,044 persons, above age, who may be equally divided between the first and second division; and, therefore, their votes may be estimated as effecting nothing towards a majority. The meaner persons, being 1,349,586, and those of the first division amounting to 500,586, it hence appears, that the former exceed the latter in the proportion of nearly three to one. Will this permission, of all the people to vote, mend the circumstance of which the Doctor complains; the election's being determined "by the meanest persons, whose votes are always paid for?" Will not the number be rather encreased than diminished, by his scheme of producing that "approach to perfect liberty, that shall secure every right of human nature?"

I confess I have laid myself open to an accusation of partiality, respecting the Doctor and his friends, the patriots. I will, therefore, add the *vagrants, gypsies, thieves, and beggars*, amounting, according to Davenant, to 30,000. A fourth part of these, according to the above divisions, respecting males and females, and persons under age, being *all patriots*; may, like the rest of them,

them, be considered as incorruptible men, whose votes are *not* to be bought.

Let me now suppose, in order to suppress all clamour and imaginary mischief, arising from those boroughs, which are now called the rotten part of the constitution, that none but the counties shall send members to parliament; that all the people included in each county, as above stated, shall have a right of voting; and all the counties to send an equal number of members. The counties included in Great Britain are 82: the members now sent to parliament are 558. The electors in each county, voting only as now, for their own members, which may be reckoned, for the sake of avoiding a fraction, at seven members to a county, it must, consequently, happen that the electors of 81 counties, out of 82, can have no votes in the other counties; and, therefore, can vote for no more than their own *seven* members. These seven members will, therefore, be elected by a *majority* of the electors of *one* part in 82 of the kingdom, and not by a *majority* of the *whole* people. The electors of every county, respecting all counties but their own, will be, as they *now* are, as much *non-electors* of the *other* members, as those who have at present, *no* votes. And, therefore, if the circumstance of a majority of the people, voting for representatives, make the most perfect degree of civil liberty, the Doctor's scheme is most effectual to destroy it. That neither he, nor the person whom he quotes in his note, p. 10. have discovered the preceding fact, nor formed any other scheme is evident: Hence it is manifest, that the Members of Middlesex cannot be representatives for the country of Surry, nor for any *part* of the kingdom but that which elects them. Because they are not chosen, but by a majority of the electors in their respective county. And thus, it follows, if an adequate representation in every member, depend on his being chosen by a majority of *all* the people, it will be *inadequate*, according to the Doctor's *idea* of *adequateness*, as 81 is to 1; and the choice of them depend on the meanest of the people, as 3 to 1. This must, certainly, be allowed to be a vast improvement towards a perfect state of *civil* liberty, founded on the suffrages of all the people. Before I conclude this passage,

I shall observe, that not only 81 parts in 82, of all the voters, will not be entitled to vote for all the members; but that there being, by that inhibition, *deprived* of that right, added to the minority in every county, will constitute a *force*, which stands in opposition to the agent's own will, that of voting for all the members, and produce an *universal slavery*. Such is the Doctor's idea of the approach to *perfect* liberty, which is that liberty itself.

I hope I have now proved the Doctor's mode of establishing perfect liberty to be as chimerical an absurdity, as ever disturbed the brain of any of his fanatic ancestors: and that, instead of producing freedom, according to his own principles, it must *enslave* the nation.

But, it seems, there is "a higher will, on which these mock representatives depend, and that directs their voices:" by this, I apprehend, he means the king. And now the true *regicide* principle breaks forth. George the third, like Charles the first, is to be *murdered*, to give the people liberty. And what liberty they would thereby acquire, I leave to the judgment of those, who know what *oppression*, *confusion*, *anarchy*, and *tyranny* were; successively, the effects of that *presbyterian* and *independent* rebellion. Such was "the fair inheritance of liberty," left us by the Doctor's *presbyterian* ancestors, which all of the same race are *now* unwilling to resign. Is it, therefore, according to the Doctor, "an abuse of language, to say the state possesses liberty," *whilst the King lives*? People of England! It was by this *hypocritical canting* for liberty, that your ancestors were reduced to the *democratic* slavery of those fanatics, in the days of Charles. Listen not to your present deluders, whose design it is to seduce you to the execution of *their* wills, to *your* destruction! And now I appeal to the common sense of all mankind, whether, "within the limits, mentioned" by the Doctor, "liberty may be enjoyed, in every possible degree, according as the people have more or less of a share in government, and of a controuling power over the persons by whom it is administered," than it is at present.

Concerning, what he says, p. 11, that "in general, to be free is to be guided by one's own will," and what

what follows, respecting representatives chosen by the *will* of a majority of the people, and that "to be guided by the will of another is the characteristic of *servitude*," I hope sufficient has been said in refutation of *such doctrine*.

In the same page in which he says that, "by a legislative representation of the people," elected as he mentions, "*liberty* may be enjoyed in its highest degree," he asserts that, "in order to form the most perfect constitution of government, there may be the best reasons for joining to such a body of representatives an hereditary council, consisting of men of the first rank in the state, with a supreme *executive magistrate*, at the head of all. This will form useful checks in a legislature, and contribute to give it vigour, union, and dispatch, without infringing liberty." By this supreme magistrate and hereditary council, he undoubtedly means the King and Peers of the realm. And hence it appears, that there is, according to the Doctor himself, a *better* constitution than the *best*; or one that can give more than "every possible degree of *liberty*." By this declaration, has he not refuted all that he has advanced in the definitions of his liberties? because, the King and the Lords being each of them a *force*, which stands opposed to the agents, the representatives, *own will*, whenever either of the former may please to check the latter, by a dissent to any bill, they reduce the people to *slavery*: and yet, the Doctor says, such "*checks* contribute to give *vigour, union, and dispatch, without infringing liberty*:" and from this the inference necessarily follows, that people may be *slaves* without having their *liberty infringed*.

Let me recapitulate what results from the Doctor's display of liberty. First, civil liberty in its most perfect degree, can only be enjoyed in small states, where a majority of the people institute the laws. Secondly, there is a *diminution* of this liberty, when recourse must be had to representatives; and yet there remains an *approach* to that perfect liberty, which secures to the people every right of *human nature*; and thus, there can be no *diminution* of *perfect liberty*, because *this approach to liberty is itself the most perfect liberty*. This *most perfect* degree, is, however,

made more perfect by the addition of a *chief magistrate* and an *hereditary council*; and yet these two are a *force* which opposes the will of the representatives, and produces *servitude*. Such is Dr. Price's *most perfect, highest* state of government, in which "liberty may be enjoyed in every *possible* degree." Does not this single discovery so beneficial to human kind, deserve to be rewarded with ten thousand gold boxes and as many freedoms? I have heard of a Frenchman, who after his return from London was praising the beauty of the common women that walk the streets of this city; when one of the persons present, asked him, how he might know a whore from a modest woman? Replied, if she wear a hoop, she is a certainly a whore. But what if she do not, says the querist. Why then replied the other, she is a whore also.

In p. 11, the Doctor says, "In general, to be free is to be guided by one's own will: and to be guided by the will of another, is the characteristic of servitude. This is particularly applicable to political liberty." The fallacy of this definition has been already, I hope, sufficiently evinced in the preceding pages. At present, I shall only corroborate my own sentiments, by those of a man distinguished for his superior abilities in treating on such subjects. "It is true," says Monsieur de Montesquieu, "that, in democracies, the people appear to do that which they *will*; but *political* liberty consists not in doing that which one *will*s. In a state, that is, in society in which there are laws, liberty cannot consist but in the power of doing that which one *ought* to *will*.—But it is of importance, to understand the difference between *dependence* and *liberty*. Liberty is the right of doing all that the laws permit. For, if one subject had the right of doing what the laws prohibit, *liberty would be annihilated*; because all the other citizens would, in like manner, have the same power*. The political liberty of the subject consists in that tranquility of mind, which proceeds from the opinion that every man hath of his security. And, in order that every man may enjoy that liberty, the government *ought* to

* De l'Esprit des Loix, L. 11. Ch. 3.

“ to be such, that one subject be *not* in fear of another *.

Our readers may now compare the difference of opinion between Dr. Price, and the preceding author. None can be more contradictory, and none more absurd, than that of Dr. Price. Were men free in proportion as they are guided by their *own* will, what security would any man possess of preserving his life, liberty, and property? What would be the ravages of the populace! What fires, assassinations, rapes, and robberies would lay waste all the nations of the world! All which would be manifestations of liberty, according to Dr. Price. Because they were acts consecutive of the agent's *own* will. And all laws, which restrained such nefarious deeds, would be a *force*, that reduced them to *slavery*. In political affairs, if each man were to follow his *own* will, what a blessed system of government should we have! What an amazing *liberty* would arise from the numerous interfections, traverses, and oppositions of a variety of discordant opinions! The perfect liberty of society, therefore, manifestly depends more on *restriction* than on *indulgence*; and the Doctor's definition proceeds either from mischievous intentions or sheer ignorance.

It is clear, from all the *assertions* of Dr. Price, for argument he has none, that his *liberty* is *independence*: whereas no two things can be more remote. Liberty consists in a mutual *dependence* of all the individuals of a community, by which the security of all is preserved. Whereas *independence* dissolves the bonds of liberty, and lets men loose from each other. It is the nature of liberty to *acquiesce* with the laws: of independence to *oppose* them. The former tends to preserve an equal distribution of right: the latter to assume all to itself. Men, therefore, in their attempts to be independent imagine, they have no liberty whilst any power or thing remains to oppose them. This notion inevitably leads to arbitrary power, as the sole state in which an absolute independence can be obtained. This it was by which Cromwell was urged through all the bloody paths that lead

* De l'Esprit des Loix, L. 11. Ch. 6.

lead to despotism. And, when he arrived at that goal, he found himself as *dependent* as before. He feared to sleep two nights in the same room, because his life *depended* on the will of an assassin. And of this it is which the rebels in America, under the disguise of liberty, are now in search.

There remains one passage, at the conclusion of this second section, wherein he mentions his fears of losing his inheritance of presbyterian liberty, by the springs of *public virtue* being so far poisoned, as *not* to be able to murder the king. "The terror of the standing army, the danger of the public funds, and the all-corrupting influence of the treasury, would deaden all zeal, and produce a general acquiescence and servility."

By whom were all these means of fixing servility introduced and established? by king William; *glorious* by his lust of murder and of man; *immortal* by the debts, corruption and standing armies which he began, assisted by whigs and dissenters, who, from that day to the hour in which his present Majesty ascended the throne, were incessantly engaged in promoting and establishing all those objects of the Doctor's terrific dangers. And now, with faces as *unblushing as brass*, they would lay the existence of them to his Majesty and his servants. If they be curses, to whigs and to dissenters we are solely indebted for them. Now, indeed, they affect to wish the extirpation of what they themselves established, by so long and so iniquitous a perseverance; and, after having sapped the foundation of every virtue, augmented the oppressions of the people, diffused an universal corruption, and rendered a standing army necessary, to suppress their own rebellious spirit; by what means can the king and his servants instantly efface their effects, infixed by habitude in their hearts. The preceding prevalencies were first introduced in the reign of king William, and supported in all the succeeding reigns by these men, under a zeal and exclamation for liberty. They are now to be removed under a like affectation for the same liberty. But it was *power* which they then sought, obtained and misapplied. At this day, it is the same power that they seek, under a new disguise, of putting their sovereign and the constitution to death. But the delusion, I trust in Heaven, will

will not extend its baneful influence over the people. They will see that the dire intent of this second design is, like the first, to extirpate all real liberty and to compleat their ruin.

I have now, I hope, sufficiently proved, that Dr. Price's vision of liberty, could it be carried into execution, would be erroneous, impracticable and subversive of all government; and have brought him to the miserable condition of the rankest absurdity, defeating all he has advanced by his self-contradictions, and by his proving that what he would amputate, as *destructive* of liberty, he confesses to be necessary to the *preservation* of it. I now appeal to the Doctor's tribunal of *reason*, and desire to know whether the *test* be not most sure that he is mistaken. And strange it is that a pamphlet, in which the Author commits a kind of suicide on his own scheme, and refutes all he has advanced, should have been considered as a production worthy of applause and of remuneration. Is it ignorance in him and the patriots, that has produced this self-destroying progeny? is it a determination to subvert the constitution, at all events, and by all means, however iniquitous, in order to obtain their ends, that has urged them to such opprobrious conduct? or is it an union of these qualities of the head and heart, the most abominable mixture that man is susceptible of possessing?

Having, in this manner, destroyed the foundations on which he erects his liberties, and proved that he himself confesses their error, I shall pay no regard to his declamatory rant, in the subsequent passages of his second section, on that liberty which can have no existence, as he states it, but proceed to examine his third section.

SECTION VI.

Of the authority of one country over another; and of what constitutes a sameness in the different parts of one country, whether they be conjoined or separate.

“FROM the nature and principles of civil liberty,” says Dr. Price, “as they have been now explained, it is an immediate and necessary inference, that
“ no

“ no one community can have any power over the legislation of another community, that, is not incorporated with it, by a just and adequate representation.” In this we agree. But then, as the adequateness of representation has been shewn to consist in the superior understanding and integrity of the *elected*; and not in the number of the *electors*, who vote from their faith in *other mens* opinions, and according to *their* wills; no state can be governed by its *own* will, according to his definition of representation and election. No state, therefore, can be, or ever has been, *free*, unless the Doctor be mistaken in his principles and ideas of government and liberty.

But the Doctor adds, “ a country, when it is subject to the legislature of another country, in which it has no voice, and over which it has no controul, cannot be said to be governed by its own will: such a country is, therefore, in a state of slavery.” As the force of the Doctor’s assertion, if it have any, consists in his stating *one* country as subject to the legislature of *another*, I will, first enquire into those qualities, which constitute the *political identity* of a country: and, thereby, it will be seen, what it is that makes one country different from another.

The characteristics, which ascertain the *different* districts of a state to be *one* country, are 1. Their being all subject to the same *crown* or legislative authority, whatever be the form of government.

2d. The enjoyment of all those rights, privileges, liberties and emoluments, in common with the other constituents of the realm: such as that of representing the people in the national senate.

3d. Their right of electing representatives, under such conditions as all the other inhabitants are obliged to observe.

4th. The right of applying to those representatives, in the senate, to be heard and to receive redress, in common with all others.

5th. Their having received, from the legislature, assistance, in military armaments, by land and sea;—being supplied with pecuniary aids for the support of the land forces;—grants of money as rewards, encouragement

ment and indemnifications, during war;—bounties, in order to enable them to encrease their productions and commerce;—money, for the support of their civil government and forces; for forts, garrisons, ordinance stores, transports, carriages, provisions;—expences of fleets and naval stations, employed in the defence of that country, in whatever part it may be attacked;—presents to nations inhabiting near that part of the country which lies exposed to them, in order to prevent their hostilities.

6th. The receiving the antecedent grants alike by all the districts of the country, on application to the national representatives in the senate, and in consequence of a right to apply to those representatives, in like manner with all the other parts of the state. And this without engaging themselves by *compact, treaty or alliance* to a reciprocal assistance; which is uniformly the method when aids are granted by *one state to another*.

Such are the characteristics, which indisputably constitute the *sameness* of a country. And, where these are not to be found, the countries are, necessarily, different. As to distance of situation, or an extensive ocean lying between two parts of a country, these are, manifestly, *no* characteristics of their being different countries politically considered, provided each enjoys all the antecedent rights, liberties, privileges and emoluments, in common with the other.

Let me suppose, by way of elucidation, that the *American* colonies could, by any means, be brought so near to this kingdom, as is the *Isle of Wight*. Would that difference in proximity make them the same country with *Great Britain*, if the inhabitants did *not*, by such a change of place, enjoy the rights, privileges and advantages abovementioned? is *Calais*, because it is the part of *France* which is nearest to *Great Britain*, for that reason, less another country than *Toulon*, which lies in the remotest part of that kingdom? the identification of all the parts of a country consists, solely, in the enjoyment of the preceding characteristics. *America*, therefore, if it enjoy the preceding rights, is not a *different* but the *same* country with *Great Britain*. And whether the former do, or do not enjoy them will be seen in the subsequent pages of this essay. Were the colonies so near to
this

this kingdom as is the Isle of *Wight*, and in the full enjoyment of what they now possess; would the people of this kingdom be satisfied, that they should be considered as a different country, and pay *no* taxes, but what they *themselves* should chuse to levy? But it seems, the colonists have not that right to elect representatives, which the people of *Great Britain* enjoy. Nothing is less true than this hackneyed assertion. If a colonist have *forty* shillings a year, *freehold*; if he be *free* of a city or borough, *pay* scot and lot, be a pot-walloper, or under any other denomination, that a *Briton* votes, he has the same right, not only to elect, but to represent also, if he be legally qualified, as Englishmen are obliged to be by their respective properties. *Trecothick*, *Huske*, *Cruger*, and a number of the insular *Americans*, either have been, or now are, members of parliament. These, it seems, can constitutionally levy *taxes* on all *Englishmen* in support of *America*, but not a penny on the *Americans* in order to assist this kingdom. Is this *reason* and *equity*?

But the *Americans* are too distant, and must come to England to give their votes. So must a Cornishman, that resides at *Inverness* in the north of *Scotland*, who is free of *St. Ives* near the land's end, come from thence to that borough, if he intend to exercise his elective right. But, were the parliament enabled to enact, and carry into execution a law, that every *American* should have the power of being in *two* places at the *same* time, the presbyterians of *New England* would, nevertheless, rebel, and Dr. Price and his adherents would insist it was a *force* opposed to their *wills*, which reduced them to *slavery*. For in these dissenters from our religion and government, rebellion is as innate and natural, as stealing poultry is in a fox, or killing lambs in a wolf. And the congress have declared they will send no members to the British parliament.

I shall take no notice of the slavery of one state to another being worse than that of one person to another; of the infamy of the oppression; nor of any one particular of that declamatory *rant*, which the Doctor has delivered, as the consequence of *one* country being subject to the legislature of *another*. Because that difference cannot

cannot subsist, where *all* the parts of *one* state make the *same* country.

But let us examine his explanation, which he has put in the following case, and observe, by what properties he distinguishes the difference of countries. "There is," says he, p. 21, "let us suppose in a province, subject to the sovereignty of another state, a subordinate legislature, consisting of an assembly, chosen by the people, a council, chosen by that assembly, and a governor, appointed by the sovereign state, and paid by the province. There are, likewise, judges and other officers, appointed and paid in the same manner, for administering *justice*, agreeably to the laws, by the verdicts of juries, fairly and indiscriminately chosen." Hence it appears, that those *two* countries, according to the Doctor's definition, are absolutely identified, respecting government; they are both *subject* to the *same* sovereign, and to the *same* supreme legislature, which makes laws, and presides over all the inferior legislatures, that subsist in the different parts of the same country. And thus, in this very stating them as *two* countries, he makes them *one*.

The Doctor, however, allows, that what he has said "forms a constitution seemingly free; by giving the people a share in their own government, and some check on their rulers: but, while there is a higher legislative power, to the controul of which such a constitution is subject, it does not, itself, possess liberty, and, therefore, cannot be of any use, as a security to liberty, nor is it possible it should be of any long duration." This is, really, a round assertion; and I will pledge my life, before I have finished this essay, to prove, from the Doctor's own words, that he pronounces that *such* a country is *free*.

If this assertion were as *true* as it is *confident*, in what a miserable state of *slavery* must the great cities of *London*, *Bristol*, *York* and the others, together with all the towns corporate of this kingdom be! they enjoy all the same rights, liberties, privileges and emoluments above related; and they are held by like grants from the crown, with the charters of the colonists. Notwithstanding this, because the supreme legislature can controul their subordinate

dinate legislatures, they do not, nor can, themselves, possess liberty. This would appear to be extraordinary in any but a *patriotic* writer. The *Londoners*, and the inhabitants of the places abovementioned, will, I dare say, be no less astonished, on this revelation of their having been so long *slaves*, without having discovered it, than Monsieur *Porjenac* was, at his having spoken prose all his life and not known it, until it was then told him. With this difference only, that the *Londoners* and others will not believe the Doctor. That being a body corporate cannot be of any use, as a *security* to liberty, may be an assertion in which they will not very readily acquiesce. And when the Doctor says, it is not possible that such a constitution should be of long duration, he must either conceive that *five* hundred years is *not* a long duration; or that the constitution of London has performed an *impossibility*, in lasting so long.

To this it will be objected, that *London, Bristol, York, &c.* send members to parliament, and are, therefore, not in the same predicament with a country so circumstanced as the Doctor has described the preceding. Such a colony is, indeed, not in the predicament of sending *members*, but it is exactly in the same in having representatives. Of what importance is it, who, of two persons, sends that messenger which is equally to transact the business of both parties? there are besides a considerable number of towns which send *no* members to parliament, and are controulable by a higher legislature. Are they, on that account, *slaves*? I imagine, that the inhabitants of such places would laugh in the Doctor's face, in derision of such an assertion.

But mind the consequences of being controuled by a supreme legislature. "Laws," says the Doctor, "of-
"fensive to a province, will be enacted by the sovereign
"state:" such, I suppose, as obliging it to contribute
to the support of that part of the state, which hath
so long and so expensively supported them. Are such
laws, on that account, *not* to be enacted?—"the le-
"gislation of the province will remonstrate against
"them."---If their remonstrances be *just*, they will be
complied with: if *not*, they will be rejected, as they
ought to be. "The magistrates will not execute them,"

Then,

Then, let the magistrates be compelled to discharge their duty, or themselves be *executed* for *not* executing the laws.---“ Juries will not convict upon them, and, consequently, like the pope’s bulls, which once governed *Europe*, they will become nothing but forms and empty sounds, to which no regard will be shewn.” The government must then be altered, in order to obtain *right* and *justice* over those, who will neither execute nor obey the laws. Thus, according to Dr. Price, whatever laws may be made by the legislature, and which the colonists do not approve, are to be repealed.

The reasons which the Doctor has brought, for abolishing the authority of a sovereign legislature, will serve, with equal validity, for the discontinuance of every thing, that is offensive to a child spoiled by the *mother’s* indulgence; and who can never be cured, but by sound *whippings*: and the members of such a legislature would justly be considered as old women, if they indulged the colonists in their demands. In the remedy of such disobedience, I agree with the Doctor, that, in order to give efficacy to its government, the supreme state will, naturally, withdraw the governor, the council and the judges, and do all he says, to the end of his paragraph, p. 23; and I will add that, *without it*, there could be *no* government.

“ Thus,” says the Doctor, p. 23, “ will such a province be, actually, in the same state, that Britain would be in, were our executive magistrate,” the Doctor will not take the name of *king* in vain, “ our house of lords, and our judges, nothing but the instruments of a foreign democratical power.” In this place, he is not only mistaken, but differs from himself: for he has antecedently stated the province as having a legislature of its own, subject to the supreme legislature of the whole state: and, therefore, supposing such a case could exist, neither the king, lords, judges nor juries would be subject to a *foreign* democratical power, but *as* the colonists are to the supreme legislature of their own country. But, as all he asserts is founded on the *fallacy* of representing two parts of the same dominion to be different countries, it is certain, that the state of oppression, in which, the Doctor says, Britain *would* be, can have no existence, and is

inapplicable to a province of this realm. He persists, p. 24, "The late transactions, in *Massachusetts Bay*, are a "perfect exemplification of what he has now said." He errs egregiously, not only in the matter, but differs from himself; because, by what I have proved, and by what he allows, that province is *not* a foreign country. There is, in fact, no more similitude, between the colonies being subject to Great Britain, and this kingdom being subject to a foreign power, in the manner he has stated it, than there exists between *St. Paul's church* and a carraway comfit. And if "all hath terminated in a government by the sword," has it not terminated in that point, in which a war of rebellion hath always terminated? And if, by being subject to the legislature of this kingdom, the colonists of *Massachusetts's* province are *sunk* below the character of men, it is to be hoped they will be *raised* above it, by the consequences of their being *rebels*.

The Doctor then asks, p. 24, "Are there not causes, "by which one state may acquire a rightful authority "over another, though not consolidated by an adequate "representation?" to which he answers, "there are no "such causes. All the causes," says he, "to which "such an effect may be ascribed, are CONQUEST, "COMPACT, or OBLIGATION CONFERRED."

As the legislature claims *no* authority over the colonies, by right of *conquest*, I shall say nothing on that head. A compact cannot be made between a *state* and *itself*: let that pass also. As to obligation conferred, be it known that it is *not* in return for favours, that the colonists are to be taxed, but in consequence of that duty, which, as subjects, they owe to the supreme power of the state, as it has been previously explained. And when he says, p. 25, "No civil societies can lawfully surrender their "civil liberty, by giving up to any extraneous jurisdiction their power of legislating for themselves, and "disposing of their property." What has this to do respecting *Great Britain* and her colonies? I have already proved, that *these* make the *same* country, and, therefore, the legislating for them by Great Britain is not an *extraneous* jurisdiction, unless a state can be extraneous from *itself*; and, consequently, they preserve that civil liberty which

which they have always possessed in common with Englishmen.

I will now adduce incontestable proofs of the *British* legislature having always been superior to those of the colonies, from their first existence; that these colonists uniformly considered themselves in that light, and applied to the *British* parliament, as the right of subjects represented in that parliament. At the same time, the proofs, which I shall bring, will demonstrate their being the same country with this, in a political sense, which is all that can possibly be meant. Their being subject to the legislature is evinced by the following statutes, establishing the supremacy of the legislature over America, of *Charles II.* 12. Ch. 18. 15. Ch. 2. 22 and 23, Ch. 2. 25 Ch. 2. 13 and 14, Ch. 2. Statutes of *William III.* 7 and 8. sect 5, prohibits any body, claiming lands, by charter or letters patent, "on the continent of *America*, from selling their property to any person, otherwise than natural born subjects of *England, Ireland, Wales*, and town of *Berwick* upon *Tweed*, without the consent of his Majesty's heirs and successors." Is not this act alone, that interferes so conspicuously in their internal concerns and properties, and its being unopposed by them, a demonstration of their being subject to the legislature of *Great Britain*? by that act also, the customhouse officers have the same power in *America* as in *England*. All bye laws made, and customs, in *America*, contrary to the said act, or any other act to be made in *England*, are to be void. Does not this place their legislatures under the direction of the *British* parliament? even their charter, by which they hold their lands and rights, subjects them to the same subordination to the supreme legislature. In the reign of *George I.* 8. Ch. 15. *George II.* 5 Ch. 7. 13 Ch. 7. All these are unanswerable proofs of their being and acknowledging themselves subject to the *British* parliament. Acts productive of application to parliament for alterations by the *Americans* and yet obeyed. *George III.* 4 Ch. 34. 6 Ch. 2. 7 Ch. 41. 8 Ch. 22,

Acts of parliament for imposing taxes on America. *Charles II.* 12 Ch. 4. "Tonnage and poundage extended to all his Majesty's dominions, without exception, and a duty laid on sea-coals sent to America." Did not the parliament, at that time, much more than a

century past, possess the supreme legislative power of taxing America? by what means has it been lost, since that æra? 25 Ch. 7. duties imposed and collected, under the direction of the officers of the customs, in *England*, if bonds are not given to land the goods exported from *America* in *England*. *Anne*, 9 Ch. 10. The post-office. This is an *internal* tax. It lays also a duty on prize goods, carried to *America*. *George* II. 3 Ch. 18. Half subsidy to be paid on rice, from *Carolina* to *Cape Finistère*. 8 Ch. 19. The same extended to *Georgia*, and continued by subsequent acts. 6 Ch. 13. Duties to be paid on the importation of rum, sugar and molasses into *America*, exactly as the duty on tea was to be paid. *George* III. 4 Ch. 15. Certain rates and duties on foreign goods imported into the colonies. 5. Ch. 15. Postage of letters. 5. Alterations made in the act of the 4. 7 Ch. 46. Duties laid on the importation of certain goods into the colonies. 10 *George* III. The above act repealed, excepting as to tea.

All these acts, excepting the last, were received as lawfully established. Petitions to the house of commons, relative to several of them, were presented by the *Americans*. These acts of the legislature prove the certainty of their rights to tax them, for much more than a hundred years. Their applications to parliament, and the obedience to these acts, by the colonists, prove, that they entertained no doubt of the legislature having a just right to tax them. These demonstrate also that the colonies and *Great Britain* are the same country. I will now adduce a further evidence of that truth, by grants, which were, most, if not all of them, given and received, in consequence of their being subjects who had a right to apply to the supreme legislature; and of their being represented by the house of commons, since the accession of the present family to the throne of these realms.

From the year 1714 to 1775, money voted by parliament, for the forces employed in defence of the colonies.

8,779,925 3 11 $\frac{1}{2}$

Grants, for rewards, encouragement and indemnification to the Americans during the last war.

1,081,771 11 9 $\frac{1}{2}$

Sums

Sums granted to the colonies, for the support of their <i>civil</i> government and provincial forces.	3,835,900	7	4	$\frac{1}{2}$
Bounties on American commodities, to the end of 1774.	1,609,345	3	9	$\frac{1}{2}$
Extraordinary expences, for forts, garrisons, ordnance stores, transports, carriages, provisions.	8,779,925	3	11	$\frac{1}{2}$
Expences of fleets and naval stores employed and established in America for its defence.	10,000,000	0	0	
Annual presents to the American Indians, for abstaining from hostilities, and for the cession of lands*.	610,000	0	0	

£ 34,696,867 10 10 $\frac{1}{2}$

Is there an instance to be found on earth, in which a different country has applied to the representatives of another, and received 34,696,867*l.* *without* treaty or stipulation? does not the universal omission of such compacts indisputably prove North America to be the same country with *Great Britain*? Had the *Americans*, then, *no* adequate representatives in parliament, when such enormous grants were made them? may it not be more justly asserted, that the *English* themselves had *no* representatives, when they levied such amazing sums for the service of these Americans? have they not all the rights which the Britons enjoy? what *civil* liberty, what power of legislating for themselves, and disposing of their property, can they, then, surrender to an *extraneous* jurisdiction? is not the preceding passage of Dr. Price a most flagrant misrepresentation of the truth, when it is applied, as he intended it should be, to *Great Britain* and her colonies? flagitious act!

In p. 26, he says, "Let the favour received be what it will, liberty is too dear a price for it. A state, that is *obliged*, is not, therefore, bound to be *enslaved*." And yet, all this *slavery* consists, in obeying such

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* Vide the rights of Great Britain asserted, &c.

such a law as they have *never* before opposed; and paying a tax on tea, similar to those abovementioned: a tax of *three pence* a pound in *America*, instead of *one shilling* a pound, which they formerly paid in the price of tea, before it was exported from hence. A duty, also, which no one *American* was *obliged* to pay, unless he chose to drink that very tea. Ah! what a slavery is this, to be opposed by arms, in rebellion! and, notwithstanding the Doctor says, they are *enslaved*, I will nevertheless prove, from his own words, that he says they are *free*.

But he continues: "It ought, if possible, to make an adequate return for the services done to it; but, to suppose that it ought to give up the power of governing itself, and the disposal of its property, would be to suppose, that, in order to shew its gratitude, it ought to part with the power of ever afterwards exercising gratitude." I have, already, proved, that the *Americans* have ever been subject to the government of *Great Britain*; that they govern themselves as much as *Britons* do, and, consequently, there is *no* power to give up. But to expect gratitude from presbyterians and independents is, to expect that *aloes* will impart the sweetness of *honey*, *falsehood* the impartiality of *truth*, and *knavery* the *uprightness* of integrity. And this is fully evinced by their present rebellion, in *America*, and by the abetting it in their writings, in *Great Britain*, after an indulgence, for a century, of such principles and practices, as is unexampled in all the other nations of the world.

The matter of the Doctor's preceding paragraph is undoubtedly admirable; but the illustration has *no* parallel. "How much," says he, p. 26, "has been done for *Hanover*! but no one will say, that, on this account, we have a right to make the laws of *Hanover*, or even to draw a single penny from it, without its consent." I confess, too much has been done for *Hanover*; but not in this reign. It was the work of *whigs* and *dissenters*, in the preceding reigns. True, Doctor; excuse my smiling; "no one will say we have a right to make the laws of *Hanover*;" and I will tell you the reason of it. *Hanover* is *not* subject to the crown of *Great Britain*. It is as virtually the dominion of

of another prince, as if it appertained to another person. All that has been done for it was by treaty; and, therefore, we have no more right to make laws for *Hanover* than for *Japan*, nor draw from thence a single penny, because the *British* legislature neither has extended, nor can extend its power over that state.

"What I mean here," he adds, p. 27, "is just to point out the difference of situation, between communities, forming an *empire*, and particular bodies, or classes of men, forming different parts of a kingdom. Different communities, forming an *empire*, have no connections, which produce a necessary reciprocation of interests between them. They inhabit different districts, and are governed by different legislatures. The different classes of men, within a kingdom, are all placed on the same ground. Their concerns and interests are the same; and what is done to one part must affect all." It has been already proved, that the colonies are not a different country from *Great Britain*, and that they are subject to the same supreme legislature.

But let me examine this matter, of particular bodies of men, that inhabit different districts. The men of Northumberland are a different body of men from those of Cornwall, and inhabit different districts. Are their concerns and interests the same, any more than those of *Great Britain* and *America*? the colonies have, surely, connections, which produce a necessary reciprocation of interests between them and *Great Britain*. The colonies are, therefore, not different communities from *Great Britain*, but parts of the whole community, and are governed by the same legislature: and this results from his own stating the case. But, how comes it to pass, then, that different bodies of men, and different districts, within a kingdom, must have the same interests and concerns, and that what affects one part, must affect all? Northumberland and Newcastle, Cornwall and Penzance, are in England. Are the concerns and interests of the several inhabitants of these districts the same, when the two former are supported by the trade of *coals* and *salmon*, and the two latter by that of *tin* and *pilchards*? will the diminution of the interests of the first, or the last two

places, be affected by any thing that can happen to either of their trades.

To the preceding passage he adds, "in order to a fair and equal government, there ought to be a fair and equal representation of all that are governed; and, as far as this is wanting in any government, it deviates from the principles of liberty, and becomes unjust and oppressive." True, Doctor. A fair, and equal government must tax *America*, as well as *Britain*. That the colonies are fairly and equally represented, in this kingdom, I appeal to the 34,696,867*l.* granted by Britain, for their sole use; that, consequently, there exists no ground of complaint, that they are deficient in a fair and equal representation, or that it does deviate from the principles of liberty. But will not the government become *unjust* and *oppressive*, if the supreme authority of this realm suffer the *Americans* to remain untaxed, whilst we groan under the burthen of seventy millions of debt, raised to support them in the last war? A war, begun, in order to settle the confines of the colonies, and concluded in freeing them from their *Canadian* foes, who, without being opposed by our military assistance, would have driven those rebels into the *Atlantic* ocean.

Having advanced thus far, he says, p. 28, that "no supreme legislative power ought to subsist any where, except in such a SENATE, or body of delegates, as that described in p. 8;" and yet, the Doctor says, in p. 12, that the addition of a *supreme magistrate* and *hereditary council* would make it better than that senate; and, thus, he again contradicts himself, recurs to his democratical principles, and confessedly prefers a *worse* to a *better* government, or knows not what he says.

I shall take no further notice of his *if's* and *may be's* in that section. The Roman provinces bore no more resemblance to the colonies of Britain, than the darker parts, in the middle of the moon, bear to the Mediterranean sea; and, with this allusion, I shall conclude all I intend to offer on the first part of his observations.

P A R T II.

SECTION I.

A recapitulation of the preceding sections, and on civil and religious liberty, as it has been, and now is existing in New England.

BEFORE I proceed to the examination of the second part of Dr. Price's observations, I shall take the liberty, succinctly, to recapitulate what, I imagine, has been fully evinced, in the preceding pages of this essay.

1. That, according to his definition of *physical* liberty, mankind are let loose, like beasts of prey, to ravage and destroy each other, to commit every nefarious act, and absolutely to subvert the *laws* of nature. For these reasons, *physical* liberty cannot consist in what he asserts, nor the force, which restrains such execrable acts be possibly productive of *servitude*.

2. That, according to his definition of *moral* liberty, depending on every man's following, in all circumstances, his sense of *right* and *wrong*, without being controuled by any *contrary* principles, *murders*, *fires*, *rapes*, *robberies*, and every *criminal enormity* are not *immoral* acts, because they are *unwilfully* committed; and, thereby, the very essence of morality is annihilated. The force that opposes the agent's will, cannot, for these reasons, be productive of *servitude*; unless an *obligation* to be *honest* men and *good* subjects can be the *enslavement* of mankind.

3. That, according to his definition of *civil* liberty, no government whatever has been, or can be established: because it is absolutely impracticable that a majority of the people can elect their representatives, in an extensive dominion:—because an adequate representation does not consist in the number of the *electors*, but in the *sufficiency* of the elected;—because civil government consists
not

not in the form of the legislature, but in the *enacting* just laws, and in an upright dispensation of them. Because, *civil* liberty consists in being *governed* by such laws, as *secure* the *lives*, *rights* and *properties* of the subject;—because, man being a *gregarious* animal, without this universal law of nature, that *folly* shall be *subordinate* to *wisdom*, *timidity* to *courage*, and *weakness* to *strength*, an unanimity of will, an union of powers, and an unity of action, can be solely formed, and the *whole* efficiency of the aggregate carried into execution. Consequently, the *force*, which opposes the will of the individuals, is *not* productive of *servitude*; unless the *preservation* of the rights, liberties, good government, and *strength* of a state, be an *enslavement*.

4. That, according to *his* definition of *religious* liberty, religion *itself* can have *no* existence. Because his principles are subversive of all *moral* and religious obligation:—because human sacrifices, idolatry, and every kind of abominable worship, being the *decisions* of the *consciences* of such-worshippers, respecting religious *truth*, are not to be opposed by *human* authority; but the nation is to be overwhelmed by such execrable rites. For these reasons, the *force*, which stands in opposition to the *will* of the agent, is *not* productive of *servitude*; unless to obey the *commandments* of God, and the laws established, be an *enslavement*.

5. That *America* is *not* another country from Great Britain, considered in a political view; that taxes are not *gifts*, but *debts*, due from the *subjects* to the state, in consequence of their being excused from *personal* service; that the *legislatures* of the provinces have been, from the *beginning*, subject to the *supreme* legislature of this kingdom, as that of London and all other bodies corporate, like the colonies, established by charter in England, are and ever have been:—that the colonists have been taxed by parliament, from the 12th of Charles the second, to the 10th of George the third, in numerous instances, similar to the duty on tea;—that they have uniformly, until their opposition to the stamp act, acknowledged and obeyed the acts of the *British* legislature;—that they have always had an adequate representation in parliament, to which they have constantly applied, as subjects

to

to *their* representatives, and received redress and assistance, in consequence of that right;—that 34,696,867 l. levied in *England*, and applied to their sole use, in *America*, have been granted them, as to subjects who were represented in parliament, and being of the same country with this kingdom:—that the *last* war was undertaken, in order to ascertain the boundaries of the colonies;—that the colonists, like the herd of swine possessed by the Devil, would, otherwise, have run headlong into the Atlantic ocean, and been drowned, through fear of the Canadians:—that, by this *American* war, the nation incurred an additional debt of 70,000,000 l. the interest of which Englishmen and their posterity are mortgaged to pay.

These are taxes, to the payment of which you are now bound. An additional stamp duty on licenses for selling beer and other exciseable liquors:—duties on plate:—duties on indentures, leases, bonds and deeds, newspapers, advertisements, almanacks and licenses for retailing wine:—duties on houses, windows and lights:—duties, by poundage, on certain goods exported from this kingdom:—an additional land duty on coffee and chocolate:—additional duty on malt:—additional duties on spirituous liquors:—additional duty on strong beer and ale:—another duty on windows and lights:—additional duties on wine. These, my fellow subjects, are the taxes, which you labour to pay, for the temporal salvation of those American ingrates, who pretend to be enslaved by a tax of threepence a pound on tea, and are in open rebellion against the supreme authority of this kingdom, to which they are indebted for that salvation. At the same time their *own* taxes hardly amount to *sixpence* for every pound, which the people of England are obliged to pay.—— The war was terminated, by extending the American commerce to the ceded islands, and by *emancipating* them from the dread and powers of their Canadian enemies;—the colonists have *all* the *rights* of Britons, in being chosen members in parliament; in electing their representatives; in being entitled to receive all the honours, privileges, posts, places, and other emoluments, that Britons can enjoy. Such are the facts, which are not to
be

be controverted. On what just foundation is this eternal monotony of *slave, slavery, enslavement* of the colonists, tyrants and tyranny, by the supreme legislature, which, like the drone of a Scotch bagpipe, eternally accompanies all the notes and tunes that are played on it? Notwithstanding this indisputable representation of the truth, whoever reads Dr. Price's observations, and all the other declamations, so vehemently urged against *truth* and the conduct of the legislature, and is not acquainted with the real state of facts, will, naturally, be induced to believe, that the parliament of Great Britain had sold the colonists, *man, woman, and child*, as *slaves*, to work in the mines of *Mexico* and *Peru*. Whereas, the fact is, that no part of any sovereign's dominions were ever so greatly supported, and so much indulged, in the payment of trifling taxes; and in all the rights and liberties of human kind, as these Americans were, on the day they causelessly rebelled against that supreme and sovereign power, to which they had always paid obedience.

From Dr. Price's roaring so loud for the preservation of the American legislatures and liberties, the inference is natural, that their civil government corresponds with the Doctor's *vision of perfect liberty*. I will describe that of the province of New England. And, first, of the right of *all* the people to *elect* their representatives. It must previously be observed, that the ancestors of the present colonists fled from England, to avoid the persecution of the *hierarchy*, as they pretended, and in obedience to the decisions of their own consciences. These consisted of various sects: such as the *Brownists*, *Independents*, *Presbyterians*, *rigid Separatists*, *Lollards*, *Antinomians*, *Muggletonians*, *Anabaptists*, *Quakers*, a religious sect called *Witches*, and a variety of others. After many dissensions, separations, quarrels and confusions, necessarily consecutive of the independent plan, they were convinced of the absurdity of every man's following the decisions of his *own* conscience, respecting religious *truth*, as the *rule* of his conduct, unchecked by *human authority*. They, therefore, deserted that impracticable notion, and adopted the presbyterian *mode* of church government, by ministers, ruling elders, deacons, &c. as it was established

blished by the long parliament, in England *, and which is more despotic than the church of *Rome*.

The province of Massachusetts was divided into *townships*: every township was empowered to send two members, and no more; and, by their charter, none of the sectaries were excepted from their right of voting, provided the elector was qualified by a freehold estate of forty shillings a year, or any other estate worth fifty pounds, both sterling †. Notwithstanding this indisputable right of *all* to elect; the inhabitants who were of the Church of England, and those of every other sect, were, by the presbyterians, who had usurped the government, precluded from their right of electing the members of the provincial assembly. And none of their own fanaticism, even, were suffered to give their votes, until they had been chosen *church members*. This membership was not to be obtained, but by a *public* appearance in their meeting houses, and confessing their sins before the congregation. After that new kind of *ordeal* trial, they were elected or reprobated, at the option of the *minister* and the *ruling elders* ‡.

“ In 1646, the colonists of the church of England
 “ petitioned the provincial assembly, that *civil* liberty
 “ and freedom might be granted to all truly English,
 “ and that all members of the churches of *England* and
 “ *Scotland*, which were, at that time, the same, not
 “ scandalous, might be admitted to the privilege of the
 “ Dissenters established in *New England*; and, if this li-
 “ berty were refused, that they might be freed from the
 “ *heavy taxes* imposed upon them.” This petition was indignantly rejected. The petitioners were fined, in different sums, as *contemptuous* and *seditionous*, and obliged to give security for their *good* behaviour. Such were the righteous proceedings of those men, respecting that *civil* liberty, which Dr. Price and their descendants are now in search of, and cannot be lawfully given up; who had fled from what they *miscalld* a *tyranny* in England, to erect that which was *positively* intolerable in America.

Not-

* Douglas's Summary, Vol. I. p. 438, 439.

† Ibid. p. 488.

‡ Douglas, p. 489, 511, 512. Hutchinson's Hist. p. 145.

Notwithstanding every township, by their charter, was empowered to send two members and no more, the colonists then treated that *charter* with the like contempt they now treat the *laws of Great Britain*. It was then, according to their principles, right to disregard the *royal* authority, because it was *not* the *legislative*; and it is now, for the same reason, right to renounce the legislative power and support their rights by charter, because it is the *royal*: and, in this manner, they have been eternally changing schemes, under the *name* of liberty to acquire that dominion, which is not founded on grace. They, therefore, dispensed with their obedience to the charter, and, by an act of assembly, Boston was allowed to send *four* members *. All townships, containing less than 30 electors, are interdicted the right of choosing members: those, in which the electors are less than 80, *may* or *may not* send *one* member, as they please †. In this manner, these friends to *civil* liberty rescinded the right of voting from townships and electors, equally qualified with those who now elect. By another act of assembly, also, they reduced the qualification of voting from 50 l. to 40 l. sterling, value of any estate. In this manner, they vary the number of representatives as they please. Is this consistent with Dr. Price's chimera of perfect liberty? Is it equal to the liberty of Englishmen, and of these very colonists when in England, where no borough, without some violation of the law, can be deprived of its right to send members; nor any freeholder, or other person, legally qualified, be withheld from the right of giving his suffrage? Is it *ignorance*, *effrontery*, or *lust after rebellion*, that has stimulated this Doctor to assert, that the colonists have *free* legislatures, and that the English, have *not*? Such was the conformity of these men to their pretended principles, of seeking for themselves a liberty of conscience, and of allowing it to all others; and who fled, as they said, from tyranny and oppression in *England*, to acquire civil and religious freedom in the woods of America.

Let me now shew, with what justice it was obeyed, in regard to the Doctor's right of every man's following the decisions

* Douglas, Vol. 2. p. 488.

† Ibid. p. 502.

decisions of his own conscience, respecting *religious truth*. By an act of the provincial assembly, all Jesuits and other Roman catholic ecclesiastics were banished, on pain of death, if they returned *.—The quakers were, by law, denominated *obstinate rogues, vagabonds, and disturbers of the commonwealth*; subject to *finer, imprisonment, whipping, cropping of ears, banishment*, and, on their return, to *death*. Any master of a ship, who should import a quaker, was fined 100 l. per *piece*, and every person who harboured one of them 40 s. an hour †. This law was carried into execution without mercy, and many quakers were, thereby executed.—*Reeves* and *Muggleton* were, in consequence of an act of assembly, burnt alive, at *Boston*, on a market day. All the other sectaries were persecuted with unrelenting virulence. Such were the inhuman acts of those *saints*, who fled from the *persecution*, as they said, of the church of England.

The execrable proceedings of these fanatics exciting a detestation of them in this kingdom, Charles the second, by order of council, September 2, 1661, required the accused and imprisoned to be sent to England ‡; and numbers were, thereby, preserved from ignominious and unmerited death. Such was the benignant order of King and council, to prevent the violation of God's commandment, "Thou shalt do no murder," and to prohibit the exercise of any provincial acts, which were *contrary* to the laws of *this* realm, the *sole* laws that could, constitutionally, be observed in *New England*. Dr. Price, according to his principles and definitions of *his* liberties, must, nevertheless allow, that this merciful order, being a *force*, that stood in opposition to the assembly's *will*, and prevented murder, was productive of *slavery*.

Their persecutions for religious principles, and modes of worship different from their own; their lust of despotism and thirst for blood were not to be extinguished by that humane act of the King. In 1692, since the revolution, a vast number of the religious sect of *witches* were imprisoned: nineteen of them were hanged, and one pressed

* Douglas, Vol. 2, p. 435.

† Ibid. p. 447.

‡ Douglas, Vol. 2. p. 449, 450.

pressed to death, after trial, in consequence of an act of their provincial assembly. Of this number was one *George Burroughs*, a presbyterian minister, who had left his congregation, and united himself with that of the *witches*, as being nearer to the *christian* doctrine, according to his conscience, than that of the presbyterians. Not a person, of the *witchcraft* sect confessed himself to be *guilty*, at the place of execution; and many of them, says Douglas, were pious persons. The presbyterian teachers addressed their governor, *Phipps*, on this execrable act of persecution, with thanks for what he *had already* done, and with *exhortations* to proceed in a like pious manner *.

Even at this hour, the spirit of persecution and intolerance reigns in all their hearts as strong as ever. They have driven the ecclesiastics of the church of England, the only *one* by law established in the colonies, from their livings, into distress and almost want of bread. This truth is evinced by the collections, which are *now* making in England, to prevent their being starved by the rebellious *liberty-of-conscience men*; and several ecclesiastics of the church of England have fled to this kingdom, to save their lives, which the presbyterians threatened to destroy. That their souls are still possessed with the same infernal spirit of persecution and intolerance; the same hypocrisy and falsehood; the same disregard to all things sacred and civil; but as they respectively may conduce to the accomplishing of their purposes, they have lately afforded a most notorious proof, in the votes and proceedings of the congress, published 1774.

In their address to the people of Great Britain, p. 38, they say, "nor can we suppress our astonishment, that
 " a *British* parliament should ever consent to establish in
 " that country, *Canada*, a religion that has deluged
 " your island in blood, and dispersed impiety, bigotry, per-
 " secution, murder, and rebellion, through every part of
 " the world." Do not these asseverations evince that their insatiable souls still disapprove of toleration, and thirst for persecution as much as ever? Can *more* falsehood be contained in so few words? For one drop of
 blood

* Douglas, Vol. 2. p. 449, 450.

blood spilt in rebellion to support the Roman Catholic religion in this kingdom; millions have been lavished by the *presbyterians* and *independents* to erect the tyrannous usurpation of Cromwell, and the long parliament. In no country, has the calvinistical heresy been established, or attempted so to be, wherein the fanatics of that abominable sect have not waded through rivers of human gore to arrive at power. Such is their address to the people of this kingdom, in order to inflame their hearts against his majesty and the parliament, and to support their rebellion in America. Let me now turn to their letter to the Canadians, in order to prevail on them to espouse their cause: or at least not to oppose them in their rebellious actions.

In p. 72, after reciting the rights and privileges, to which, as subjects of *Great Britain*, they are entitled, in speaking of the Roman catholic religion and the *Quebec* bill, to the *Canadians*, they say, "these are rights you are entitled to, and ought at this moment in perfection to exercise. And, what is offered you by the late act of parliament in their place?—*Liberty of conscience* in your religion?—No.—God gave it to you, and the temporal powers, with which you have been, and are connected, firmly stipulated for your enjoyment of it. If law, divine and human, could secure it against the despotic caprices of wicked men, it was secured before."

That religion, which they at first aver to have shed deluges of blood, and to have dispersed impiety, bigotry, persecution, murder, and rebellion through the world, they now assert, that God gave to the *Canadians* the liberty of conscience to enjoy. What an execrable instance of self-contradiction, falsehood, hypocrisy, impious, and audacious asseveration do the preceding passages contain? Such are the men whom Dr. Price represents as having free governments, in which civil and religious liberty are supported and exercised in acts of piety.

Should not this Doctor, this friend of liberty, this enemy to civil and religious enslavement, have prevailed on those fanatics to have changed their mode of government, and to have relinquished their persecuting principles, previous to his standing forth the abettor of their rebellion?

lion? Otherwise, will not his assertions, of their *free* legislatures, and justification of their revolt, in search of *freedom*, be either an egregious ignorance, or a heinous propagation of falsehood?

Having premised this indisputable account of the colonists of New England, I shall now proceed to the examination of his second part. In p. 32, he says, "The question, with all liberal enquirers, ought to be, not what jurisdiction over them *precedents, statutes* and *charters* give, but what reason and equity and the rights of humanity give." By these I have examined the question: let the public determine. He continues: "This is, in truth, a question, which no kingdom has ever before had occasion to agitate. The case of a free country branching itself out in the manner *Britain* has done, and sending to a distant world colonies, which have there, from small beginnings, and under free legislatures of their own, encreased and formed a body of powerful states, likely soon to become superior to their parent state." This is, indeed, a sentence, replete with bountiful concession of *truths*, extraneous from his usual method. *Britain*, which the Doctor has, hitherto, asserted to be a country, that, by the nature of its constitution in electing representatives, *cannot* be free, is now, *by him*, confessedly *free*: and the colonies, which are, he says, *enslaved* by the *British* legislature, are, nevertheless, *free*, and have *free* legislatures of their own.

This is, undoubtedly, a *self-contradiction*, sufficiently egregious for one sentence. But, like the *high German* mountebank, who gave a comb and a razor with his *corn-plaster*, because the latter was not yet enough for sixpence; this Doctor, also, gives you another *self-contradiction* with the former; and shews, that the colonies are *not another* country from *Britain*, in saying that *Britain* has *branched itself out*, in sending colonies to a distant world. I humbly presume, therefore, that the *branches* and the *trunk* make but *one* tree: and, if the colonies be *part* of *Britain itself*, does the Doctor think it can be *another* country? And now I have fulfilled my previous promise, that the Doctor should contradict *himself* in both

both the *slaveries* and make them *freedoms*, before he concluded his observations. I shall offer nothing concerning the practicability of a retreat, by the British legislature, nor of staying the sword: convinced, as I am, that nothing but the sword can bring these rebels to that due obedience, which is becoming subjects, to the supreme legislative power. I will conclude, therefore, in conformity with the Doctor's words:—"Detested be the measures, which have brought us into this war!"—I mean those measures espoused by patriots in parliament, who first, by false self-interested and flattering speeches, awakened the colonists to rebellion; who have, together with a multiplicity of other men, since the rebellion began, excited them by *public* and by *private* exhortations, in *print* and *manuscript*, to persevere in their revolt. I will now enquire into the merits of the Doctor's first section, "*Of the justice of the war with America*," and then into those of the rest.

SECTION II.

Of the justice of the war with America.

"THE enquiry, whether the war with the colonies
 " is a *just* war," says Dr. Price, p. 34, "will
 " be best determined, by stating the power over them,
 " which it is the end of the war to maintain; and this
 " cannot be better done, than in the words of an act of
 " parliament, made on purpose to define it. That act
 " declares, that" "this kingdom has, and ought to
 " have, power to make laws and statutes, to bind the
 " colonies and people of America, in all cases whatever."
Foe to independence and friend to liberty, as I ever have
 been and will be, I cheerfully confess, that this is "in-
 deed, a dreadful power!" It is a legislative and un-
 justifiable pronouncement of *despotism*, and of intention to
 subvert every species of liberty. For no legislature either
has, or *can* have, a *right* to any power over the subjects,
 by the exertion of which they can be injured or op-
 pressed

pressed in the exercise of that, which is beneficial to the state, or to their just rights in nature. This *tyrannic* law was passed in the ministry of the present patriot Lord Rockingham, when his then *private* secretary and now patriotic Edmund Burke, Esq; was, in like manner, his cradle rocker, and fed him with *speeches*, as pigeons do their *young* ones with peas thrown out of their *own* stomachs into *theirs*. The absurdity of that administration I have already shewn*.

But, although the Doctor has cunningly recurred to this act, for the definition of that power, which the parliament then assumed, as the *cause* of taking arms by the Americans; yet, he must be conscious, that they had rebelled before the passing of that law; and had resolved to continue in it. Or he makes Lord Rockingham and Edmund Burke, Esq; to be the causes of the rebellion. And, although, on a motion in the Commons, that statute was not repealed; the reason was, as I presume, that nothing ought to be conceded to *rebels*, until they had laid down their arms and returned to their allegiance.

The Doctor, however, does not avail himself any farther, of the oppressive power declared in that act. That would be a stretch beyond his present design. The men, who thus enacted the right of enslaving the colonists, are now become egregious *patriots*, *liberty-boys*, and protectors of the *American* revolt. And the true cunning of a presbyterian would suppress his resentment against Satan himself, for *former* deeds, if he expected any present favour from that *first magistrate* of hell.

He goes on, p. 35. " But, probably, most persons will be for using milder language, and for saying no more, than that the united legislatures of *England* and *Scotland* have, of right, power to tax the colonies, and a supremacy of legislature over America—but this comes to the same." Surely, this is a strange assertion, that the *single* power of *taxing* should be the *same* with a power to make laws, to " bind the colonies in all cases whatever !" Hence it results from the Doctor's own words, that a power, applicable but in *one* instance, is more than in millions, equal to that in *all* cases that *can* exist.

* *Vide* answer to Burke's speech.

exist. If a gentleman has a power of obliging his copy-holding tenant to pay him a *fine*, or small *rent*, is that the same with having a power over *all* his estate and stock?

“If it means any thing,” says he, “it means, that the property and the legislations of the colonies are subject to the absolute discretion of Great Britain, and ought of right to be so. The nature of the thing admits of no limitation.” The Doctor has already limited it to *one* thing, the right of *taxation*, and now he declares it *illimitable*. But from what does he infer that, by a power to *tax*, the property and the legislations of the colonies are subject to the *absolute* discretion of *Great Britain*? The legislations and properties of the body corporate of London, and of a multiplicity of other cities in England, are subject to the *discretion* of the supreme legislature of *Great Britain*, and ought to be so: but does it thence follow, they have an *absolute right*; which I suppose, he means, absolute *discretion* being nonsense, over their particular legislations and properties? And yet, if *such* a right be an *absolute* power, the *freest* state that ever hath existed, or can exist, must be *absolute*, since all legislatures must have a right to *tax* the property of the constituents of the community. He then adds: “If any part of their property is subject to our *discretion*, the *whole* must be so. If we have a right to interfere at all, in their internal legislations, we have a right to interfere as far as we think proper. It is self-evident, that this leaves them nothing they can call *their own*.” The Doctor uses extraordinary phrases: *discretion* for *power*; the *mode* of administering a *thing* for the thing *itself*, and makes an internal, and, consequently, an *external* legislation, which carries something not very definitive, and for the comprehension of which I have *not* an adequate understanding: but I confess, it is not his business to print, and to find me the faculty of comprehending his meaning; and so I proceed. I have already shewn, that the legislature of the *freest* state must have a right to part of the people’s property. But that right is *limited* in its powers, by the very nature of the thing *itself*. It is a *right to tax*, or to take a *part* of the property of *every* individual, in order to support

the cause and beneficial operations of the *whole* community. It is a debt, due from every subject to the state; but not the whole of his property: and, therefore, a *right to tax* the Americans gives no right to interfere as far as we *think fit*, but as far as the case requires. For that reason, it is self-evident, that it leaves the colonies every thing they can, or ought to call their *own*. For, certainly, no subject can have a right to call that his *own*, which he ought to pay, in compensation for that *personal* service to the state, which his country stands in need of, and has a right to demand. As to "what can give to "any people such a supremacy over another people," it is proved that the colonists are *not another* people, and that all legislatures must, necessarily, have that supremacy over their subjects.

As to the "preservation of the unity of the *British* empire;" I have said enough on that *unity*.—As to "the superiority of the *British* state;" there can be no *superiority* of a state over *itself*: Britain, and her colonies, are proved to be *one*. I support no man's opinions, unless they coincide with my own. But the Doctor says, One reason offered for our taxing them is, because "we "are the *parent state*. These are magic words, which "have fascinated and misled us." And why? Because "the *English* came from Germany." Does that, he asks, "give the German states a right to tax us?" Were the English ever subject to a German legislature? Were they supported by grants of millions, to preserve their settlements? Were these settlements held by charter from a German prince? Were the emigrants entitled to all the rights and privileges of Germany? How, then, can the Germans have a right to tax England? What analogy is there between the English and Germany, and the colonists and Britain?" Indeed, Doctor, this allusion of yours is either extreme ignorance or extreme misrepresentation.

After giving so excellent an illustration of his subject, he speaks of the colonies as children. "But there is a "period, when, having acquired property, and a capacity of judging for themselves, they become independent agents, and when, for this reason, the authority "of their parent ceases, and becomes nothing but the
"respect

"respect and influence due to benefactors." All this is no more than *metaphor*, and metaphor is not *argument*. But it happens, that the figure will not hold. The authority of the British legislature has *not* ceased, and, therefore, they are *not* become independent agents: but vile and unnatural rebels to the most benignant parent that ever nurtured a profligate and perfidious progeny.

But he adds, p. 38, "We have, it is said, protected them, and run deeply in debt on their account." That we have, indeed, Doctor. "The full answer to this has been already given;" and the refutation of it, also, in this essay. He continues: "Will any one say, that all we have done for them has not been more on our *own* account, than on theirs?" Yes: I will say it. For, without *our* assistance, *they* would have been subdued by the French, to whom, I imagine, they would not, willingly, be subjects; and, at present, the loss of them deserves not to be much regretted. "But," says he, "suppose the contrary. Have they done nothing for us? Have they made no compensation for what they have received?" Yes: they have compensated *all* our acts of beneficence by a *rebellion*. "Have they not helped us to pay our *taxes*, to support our poor, and "to bear the burthen of our debts, by taking from us, "at our own price, all the commodities with which we "can supply them?" But was this in consequence of a *voluntary* act of theirs? Was it not consecutive of acts made by the supreme legislative? Besides, had they purchased from France, Holland, Germany, or any other realm of the world, that merchandize which they bought of the English, would they not have helped those states in *paying their taxes*, to *support their* poor, and to *pay their debts*? Can that be a compensation for the millions we have spent in their protection? But "they have taken "from *us* our commodities, at *our* prices." And have they not sold their *own*, in return, at *their* prices? In the note, p. 38, he says, "This is particularly true of "the bounties on some American commodities, as "pitch, tar, indigo, &c. when imported into *Britain*. "It is well known, that the end of giving them was, "to get these commodities cheaper from the colonies,

“ and in return for our manufactures, which we used to get from Russia, and other foreign countries.”

But, good Doctor, were not these bounties granted, also, to *enable* the colonies to sell these commodities as cheap as Russia, because they could not *make* them at that price; and, thereby, to purchase those manufactures, which they could have from *no* other country; and, thus, to bring the ballance of trade less in their disfavour? Are there not bounties granted on the exportation of our manufactures, and duties drawn back on exportation of foreign commodities to the colonies, which the consumers in *Britain* are obliged to pay, and this enacted in order to render them cheaper to the *Americans*?

“ Have they not,” says he, p. 38, “ for our advantage, submitted to many restraints in acquiring property? Must they likewise resign to us the disposal of property?” Have not the English submitted to like restraints, in the prohibition to export wool, fuller’s earth, and many other things of English production, and to import manufactured silks, iron wares, and others*; and have the Americans submitted longer than the moment they thought themselves enabled to support a rebellion? I have already proved, that a right of taxation is *not* that of a disposal of their property. He then asks, “ Has not their exclusive trade with us been, for many years, one of the chief sources of our national wealth and power?” By an *exclusive* trade with us, I suppose, he means an exclusion of trading with all other nations†. And is this wealth and property, which we have acquired by the trade which hath enriched them, whilst they were happily placed in a situation of being all *but* free from taxation, a compensation for the 34,696,867 l. of money actually levied on us for their service; and for the 70,000,000 debt, incurred and levied on *England* also, during the last war, begun for them, and concluded to their chief advantage? And, had these miscreant sectaries never fled their country, and the rest been honest enough *barely* not to deserve hanging, and, therefore, to be transported, as convicts, would not the consumption of
our

* *Vide* the answer to Burke’s speech, *passim*.

† *Vide* answer to Burke’s speech, in reply to that point.

our own manufactures, by them at home, have been equal to what it has been in America? Would not their labours, in agriculture and in all kinds of manufactures, have been equally employed to promote the public welfare? Would not the payment of all taxes have then been equal, by them as by us? Would not the commodities they now produce have been purchased from other countries, by a return of what they would, then, have fabricated in England, and the nation equally enriched; its strength preserved, by keeping the people together; and the stupendous folly have been avoided of extending the dominions of a realm, by planting colonies, as long as the native land will produce *one* blade of grass, or *one* grain of corn, more than the inhabitants can consume; or be purchased from other nations, by the manufactures of their own hands? Hence, does it not appear, that we have not only not gotten any thing, but have wasted millions, of which they have reaped the whole advantage.*

"In all our wars," says he, "have they not fought by our sides, and contributed much to our success?" No, indeed, Doctor. Did you ever hear of an American regiment in the wars of William the Third, Ann, or George the Second, in Europe, that fought by our sides? And these are all the wars since the revolution. Have they served on board our men of war? Has not the contrary been proved in parliament? Where did they fight by *our* sides, unless it were by our *backsides*, even in the defence of their own lands and properties? "In the last war," says he, "particularly, it is well known, they ran themselves deeply in debt, and that the parliament thought it necessary to grant them considerable sums, annually, as compensations for going beyond their abilities in assisting us." You should have added, Doctor,—*to preserve themselves from destruction*. And is a parliament, so forward to grant such aids, to be represented as tyrants and to be dreaded, as a legislature which intends to take *all* their property by *taxation*, and to enslave them? The deep debt of the Massachusetts men amounted to 37,500*l.* to be paid off in four years: whilst the debt incurred in their defence amounted to

70,

* See the Appendix for the profits and expence arising from the colonies.

† Burke's 9th Letter.

70,000,000l. which nothing can *liquidate*, but the dissolution of all things : and then the Doctor wisely adds : " In this case," of going *beyond* their abilities, " would they have continued, perhaps, for ever ;" which, I apprehend, is an eternity of going *farther* than persons are *able* to go. This, *beyond* their abilities, is either borrowed or stolen from that *excellent* and *admirable* second printed speech of Mr. Burke, as the Doctor styles it, in a note, and which shall have its remarks in an Appendix. And in thus going on *for ever* they were to be compensated by money raised on England, *for ever* also. What a blessed aid would these colonies have proved to us in war ! To this he adds : " In short, were an accurate account stated, it is, by no means, certain, which side would appear to be most indebted." Try your hand, Doctor. You are reckoned an excellent calculator : but you are accused of adopting supposititious *data*. Beware of that, or you will be detected*.

The next sentence, like Mr. Burke's speech, is *excellent* and *admirable*. " When asked, as freemen, they have, hitherto, seldom discovered any reluctance in giving, but in obedience to a demand, and with the bayonet at their breasts, they will give nothing but blood." This *demand* was a debt, due to that legislature, as much as paying a militia man to serve in the place of another. A demand which they had constantly acknowledged ; and, if the bayonets are at their breasts, it is rebellion has called them there. But had these bayonets been sooner planted against those breasts, more in number, and more actively employed, their taxes would have been readily payed, without shedding *one* drop of human blood. But that time is passed : and such will for ever be the consequence from that conduct, wherein *mistaken lenity* supercedes the claims of *national justice*.

He continues, p. 39 : " But it is farther said, the land, on which they settled, was ours. But how came it to be ours ? If sailing along a coast can give a right to a country, this might. Then might the people of *Japan*, as soon as they please, become the proprietors of *Britain*. If the land, on which the colonists first settled, had any proprietors, they were the natives. The greatest part was bought of the natives. They have, since

* See the Appendix for this ballance.

“ since, cleared and cultivated it, and, without help
 “ from us, converted a wilderness into fruitful and plea-
 “ sant fields.” You forget the help, Doctor, of the
 millions already granted to those ends. He goes on:
 “ It is, therefore, on a double account, their property;
 “ and no power on earth can have any right to disturb
 “ them in the possession of it, or to take from them,
 “ without their consent, any part of its produce.” He
 tell us, in speaking of liberty, “ that no civil societies
 “ can, lawfully, give up to any extraneous jurisdiction
 “ the power of disposing of their property,” and, conse-
 quently, not give up that property itself. Is it not the right
 of man as much to live as to be free; and is not the earth
 given to sustain him, and the whole human race? If he can-
 not give up his liberty, by *compact*, how can he, thereby,
 give up any portion of the earth from his descendants?
 The Indians, therefore, had no right, by *compact*, to
 sell it. How then came it to be the property of the colo-
 nists more than of the *Britons*? They are not disturbed
 in their possessions by us, by their being taxed. No-
 thing is taken from them, but by that lawful consent of
 representation, which, has been repeatedly proved, and
 acknowledged till now.

The paragraph, p. 40, concluded with, “ it is in-
 “ consistent with common sense, to imagine that any
 “ people would ever think of settling in a distant coun-
 “ try, on such condition, as that the people, from whom
 “ they withdrew, should for ever be masters of their
 “ property, and have power to subject them to any
 “ modes of government they pleased.” But it has been
 proved, that their property has not been invaded, nor
 was any alteration of their governments attempted before
 they rebelled: such are the results of common sense.

His next paragraph begins: “ The defective state of
 “ the representation of this kingdom has been farther
 “ pleaded to prove our right to America.” It has been
 evinced, that the Doctor’s scheme of public liberty is
 equally defective. “ Is it generous, because we are in a
 “ sink, to draw them into it?” Britain, the Doctor has
 said is a free country: a free country is, therefore, in a
sink. “ Ought we not, rather, to wish earnestly that
 “ there may be one free country left upon earth, to which
 “ we

" we may fly, when venality, luxury and vice have
 " completed the ruin of *liberty* here:" in a *sink*. But,
 wherein is the liberty of America to be seen? Not in
 their legislatures, which, in civil and religious rights,
 are, as I have proved, more tyrannic, in the law and the
 execution by their *oligarchy*, than Britons by their su-
 preme legislature, even according to the Doctor's scheme
 of perfect freedom. When they *are* free, and *not* till
 then, can an honest man be the abettor of their taking
 arms, in pretence of preserving liberty.

The Doctor then says, p. 41: " It is by no means
 " true, that America has no more right to be exempt-
 " ed from taxation, by the *British* parliament, than
 " *Britain* itself. Here, all freeholders and burgesses
 " of boroughs are represented :"—No more *represented*
 than *all* the people of *Britain*.—" There, not a single
 " *freeholder*, or other person, is represented." This has
 been already proved to be a falsehood, by facts, which,
 undeniably, evince the contrary. Is it not a conscious
 and a scandalous evasion of the truth, when he mentions
 none but freeholders and burgesses to be represented in
 parliament? Does he not know that, if he had spoken of
all the people, *that* truth would have included *all* the
Americans? This is his mode of disguising *verity*, in
 searching after *justice*. Does he *preach truth* in the way
 he *prints* it? Is it ignorance, or malice, which induces
 him to assert things, which every man knows to be un-
 true? Is there, on earth, a thing which is more gene-
 rally known and acknowledged, than that, whoever
 chuses the members, they are as much the representatives
 of the *non-electors* as of those who *chuse*; and, consequent-
 ly, of all the subjects of the realm?

He proceeds, p. 42: " *Here*, the *aids*, granted by the
 " represented part of the kingdom, must be proportion-
 " ably *paid* by themselves; and, the laws they make for
 " *others*, they, at the same time, make for *themselves*."
 In this sentence, the same scandalous *evasion* of *truth* is
 continued. Are not *all* the people represented in parlia-
 ment? Who, then, pay the *aids*, but the whole? Are
 the freeholders, freemen, and burgesses, whom this Doc-
 tor, conscientiously, miscalls the only part of the people
 that is represented, those who pay the *aids*, and not the
 others

others also? This truth, in his inquiry after justice, he purposely avoided; in order to evade that unanswerable argument, that the Americans stand on the *same* ground of representation with all the *non-electors*, and, therefore, with all the people of Great-Britain. Is not this flagitious? He then subjoins: "*There*, the aids they would grant would not be *paid*, but *received* by themselves, and the laws they made would be made for *others* only." Here, again, the misrepresentation is vilely continued. The Americans would no more pay the aids, which are granted by the legislature, nor would these aids be received by it, otherwise than they are paid by non-electors. All the people, voters or not, pay the aids, and the government receives them alike from all: and, surely, the laws of *taxation*, being made for the *Americans*, which did not extend to the persons of the legislature, and people of England, can have afforded no reasonable ground of complaint: unless an exemption from the taxes we pay be a hardship. Because these taxes do not extend to them. But the objection may easily be obviated. Let the laws be extended equally through *Britain* and her colonies. Having fully answered this matter, in this essay, and in preceding publications*, I will not trouble my readers with an eternal reiteration of the same things, which, like a parrot who has words alone devoid of ideas, he is constantly repeating.

"To this supremacy over them," says the Doctor, "we say we are entitled; and, in order to maintain it, we have began the war. Let me enquire,"—With all my heart. Let us see what he will make of it.—"1. Whether, if we have now this supremacy, we shall not be equally entitled to it in any future time?" Without an *if*, we *have* been, are, and *shall* be equally entitled to it. "They are now but little short of half our number. The probability is that, in 50 or 60 years, they will double our number:" and then the Doctor becomes, like his brethren in the North, *gifted* with the *second sight*, and asserts, "they will form a mighty empire, consisting of a variety of states, all equal, or superior,"

* *Vide* answer to the queries and to Burke's speech.

“perior, to ourselves, in all the arts and accomplishments which give dignity and happiness to human life.” The people of Britain are now estimated at 6,000,000 : the double of that is, consequently, 12,000,000. The colonies are 12 in number, without a subdivision. These are *Canada, Nova Scotia, New England, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida*. Each of these is to be equal, in 50 or 60 years, to Great Britain. Each must, therefore, contain 6 millions of people; and thus, from 3 millions, they must encrease, in that time, to 72 millions. As the Doctor is so admirable a calculator, and always selects the most unquestionable *data*, I suppose he has found this must be *true* to a demonstration. And yet, hang me if, according to the decisions of my own conscience, I can believe one syllable of it.

But I have yet another reason for this infidelity. Will all the states, with *jarring* interests, habituated to *different* forms of government and different modes of religion, agree to constitute *one* supreme legislative power, and, thereby, to make a mighty empire? I believe the Doctor is not a true prophet. He then asks, “at that period, will they be still bound to acknowledge that supremacy over them, which we now claim?” In *duty*, they *will* be bound : but that period will not come, if ever, for many centuries. “This would be unreasonable. What makes it otherwise now?” It is that, being subjects of Britain, and aided with millions of money, it would be both unreasonable and unjust, that, in their present opulence, they should not be compelled to contribute their *dues* to *our* taxes.

The Doctor then says, p. 44, “*Britain* is now, I will suppose, the seat of liberty and virtue—the time may come, when it will be all reversed.” But, Doctor, you have *asserted*, that British liberty is in a sink; and now, again, it is a *free* country : and, as Mr. Bays says, what is become of your *supposes* now? As to virtue, it forms no part of the present dispute : nor, if honesty be a virtue, is there less of it to be found on any spot of the earth, than in *New England*. For the truth of this, I appeal to all the other *American* planters, continental and insular. As to the time to come, I will answer your *supposes*

supposes when they are realized by that time. And now, in p. 46, the Doctor says, "a government by King, Lords, and Commons is the *perfection* of government." With two *forces*, to oppose the people's *will*, which, he says, reduce them to *servitude*! But, then, he adds: "when the commons are a just representation of the people, and when, also, it is not extended to any distant people or communities, not represented." This is the very case respecting Great Britain and her colonies: and, thus, they are governed by the most perfect government, according to the Doctor's principles. If a man, who changes them in every page, as they occasionally suit his purposes, can be said to have *any* principles. The following parts of that section, consisting of *supposes*, *ifs*, *may be's*, and *fictitious impossibilities*, deserve no farther consideration.

Hence it appears, that the Doctor's enquiry into the *justice* of the war with America, consists in concealments and misrepresentations of the truth, in order to avert the eyes of those, who would, otherwise, perfectly discern the *justice* of the legislature in this war. And now I will ask him, whether it be not *just*, that all the subjects of the same realm should, according to their respective abilities, pay their *legal* contributions of pecuniary aids, which enable that government reciprocally to support them in the possession of all that is dear to human kind?—Whether the *Americans*, proved to be the subjects of this realm, by enjoying every right to elect and to be elected representatives; to apply to those representatives for aid, and to receive it, equally with Britons, are not in rebellion, when they causelessly oppose that supreme legislature, which they have hitherto acknowledged?—Whether it be not *just* to reduce these rebels, by arms, to their duty?—and, whether, without obliging them to contribute, by *taxation*, to the national supplies, after so many millions levied solely on England, for their preservation, the parliament can be said to act with *justice* to the people of Great Britain? The war with America is, on these accounts, *not only just*, but the only war that has ever been undertaken for the advantage, more particularly, of the common people. In our wars with *France*, *Spain*, *Holland*, and other states,

with

with unremitting victories, the common people were sure by more incessant labour to acquire the necessaries of life, advanced in price, by the payment of accumulating taxes. In this war with America, it is the *people's cause* alone. It is for the *alleviation* of those hardships and sufferings, which were brought upon them by all the preceding wars, since that day, in which the Prince of Orange was made a king, to that, in which his present Majesty ascended the throne of these realms. This merciful intention, of lessening the toil, encreasing the ease, and of enabling the honest, the industrious, and the useful subjects to purchase *better* necessaries with *less* money, is the object of this just and necessary war against ungrateful and unnatural rebels. This truth the flinty hearted presbyterian crew in *New England* fully know; and they would rather behold you, my fellow subjects, expiring in the pangs of famine, than *voluntarily* to contribute one penny, to support the *lives* of you, your wives, your children, and all human nature, their own envenomed species excepted. Resent the injury, and treat with contempt, those ingrates, and the merciless abettors of their treason.

SECTION III.

Whether the war with America be justified by the principles of the constitution.

DR. Price now informs us, p. 48, he has “ proposed, in the next place, to examine the war “ with the colonies by the principles of the constitution.” Let me enquire how he succeeds in this part. He “ knows, it is common to say we are maintaining our “ own constitution in *America*. If this means we are “ now endeavouring to establish our own constitution of “ government there, it is by no means true; nor, were “ it true, would it be right.” Surely, Doctor, *maintaining*, implies the support of something *already* established, and not an *attempt* to establish it. However, if
white

white can mean *black*, or even *blue*, the Doctor's assertion will be just, and *not* till then. It has been already proved, the constitution of *England* has been established in the colonies from the day of their commencement; and, therefore, the proceedings of parliament are to *maintain*, and *not* to establish it.

The reason for its being "not right to establish our constitution in *America*" is not a little extraordinary. "They have," says the Doctor, "chartered governments of their own, with which they are pleased, and which if any power on earth may change, without their consent, that power may, likewise, if it thinks proper, deliver them over to the *Grand Seigneur*." In p. 32, he says, "The question, with all liberal enquirers ought to be, not what jurisdiction over them, precedents, statutes, and *charters* give, but what reason and equity and the rights of humanity give;" and, in p. 40, "he lays *no* stress on *charters*: the *Americans* derive their rights from a *higher* source." And now, he quits the title of *liberal* enquirer, the claims of *reason* and *equity*, and the higher source, and founds his justification on that very *charter*, on which he lays *no* stress. I agree however, for the decision of this question, to have the matter tried by that, which must result from the contents of that charter, which was granted by their idol, *William* the 3d, to the colonists of *Massachusetts Bay* province. A charter is an instrument, in writing, which, by the exertion of the *prerogative royal*, incorporates, and bestows on bodies corporate, particular rights and exemptions, therein mentioned; on due observance of the conditions therein contained, by those to whom it is granted. The charter granted to the abovenamed colonists is expressly as it is here described. On this charter, according to the Doctor, their government is founded. It is evident, therefore, that, if they claim on their chartered right, they must adhere to the conditions on which it was granted; and, consequently, if *no* power on earth may *change* that government which the charter hath bestowed; no power on earth can *detach* them from the conditions it includes. Let me shew what the charter pronounces. "We give and grant to the said governor, and to the great and general court

“ or assembly of our said province, &c. full power and
 “ authority, from time to time, to make, order, and
 “ establish all manner of wholesome and reasonable or-
 “ ders, laws, statutes, ordinances, directions, *so as they*
 “ *be not repugnant or contrary to the laws of this our realm*
 “ *of England,*” Hence it is evident that, by their char-
 ter, their government is made subordinate to the supreme
 legislative power. And now, when they oppose this le-
 gislative authority and erect another, by a congress,
 which entirely subverts their own government, have they
 not violated those conditions, which, by their charter,
 they were bound to observe? On what ground, can Dr.
 Price assert they are *pleased* with their chartered rights?
 Have they not assumed that power to change that govern-
 ment, which, he says, “ no power on earth may
 “ change;” and, consequently, by that infraction of
 the conditions, forfeited all claim to the rights, privi-
 leges and exemptions, which that charter contains?
 Could *William* the 3d have granted rights and liberties
 independent of the supreme legislature, when he wore the
 crown of these dominions by the right which that very
 legislature possessed to bestow it? This very legislature
 can, even now, transfer that crown and those kingdoms
 to whatever family they may think proper. It is a
 new species of high treason to publish, in writing, that
 the legislature does not possess that right. And, in less
 merciful reigns, it had been deemed criminal by law,
 to assert its power did *not* extend to the colonies. There
 are those, who have greatly suffered for a less offence.
 The supreme legislature has a like right over the char-
 tered governments of *London*, *Bristol*, and a multiplicity
 of other places: and, if either of these corporations, by
 infracting the conditions of their charter, should forfeit
 their rights, and the legislature abolish the charter, can
 the parliament for that reason, as justly deliver the inha-
 bitants over to the *Grand Signior*? Is not such an infer-
 ence too absurd to be pronounced or written by any man
 but a *modern patriot*? In this, however, he certainly ma-
 nifests his ignorance of the constitution of this kingdom:
 and evinces, contrary to his design, that the *chartered*
 governments of the *Americans* are subject to the supreme
 legislature. Is it not a consequence, therefore, by their
 infraction

infraction of them and taking arms to support that violation, that they are rebels? at the same time, whilst he grounds their chartered rights on the *prerogative royal* being superior to the supreme legislature; and, thereby, makes and justifies the acts of a monarch, unlimited by the power of the people's representatives, to be the constitutional government of this kingdom, does not he prefer an arbitrary monarchy to all those other governments, which he has antecedently approved as perfect?

In the preceding passages, wherein he lays no stress on charters, he thought it his interest to *abolish* their power. in the *present*, he thinks it right to *support* that power. In what amazing inconsistencies and self-contradictions does this Doctor involve himself! Laws made by a majority of the people, constitute the most perfect government. That perfection is, nevertheless, *diminished* by a government with representatives of the people, which effectually secures to them *every right* of human nature: and, thus, that *diminution* of the *most* perfect liberty, is that full perfection. Then, the addition of a king and house of lords, makes that most perfect liberty another *most* perfect liberty, which is *more* perfect than the former *most* perfect. Notwithstanding this stupendous perfection, we soon find British liberty in a sink, and then it emerges again, in the most perfect government of king, lords and commons: and now, it is a king, who, without either lords or commons, grants charters, which no power on earth may change. Can the history of the universe exhibit such another *train* of absurdities and self-contradictions? Pray, Doctor, let your epitaph be copied from that of Ben Johnson.

O rare Richard Price!

He proceeds: "Suppose the colonies of *France* and "*Spain* had, by contracts, enjoyed, for near a century "*and a half*, free governments, open to all the world, "*and under which they had grown and flourished.* "*What should we think of those kingdoms, were they* "*to attempt to destroy their governments, and to force* "*upon them their own mode of government."* The Doctor grounds his *suppose* on a position, that the preceding colonies do, by *compact*s, enjoy free governments.

In p. 24, he tells you, in speaking of the Americans, "This is a case, in which compacts are not binding." It was then to his purpose to let loose the colonists from the obligation to the legislature by compacts. In p. 48, he says, "This compact," for such he absurdly means the *charter* to be, "ought to bind the legislature to the colonies." Such are his fast and loose glaring self-contradictions. But, allowing the absurdity of a *grant* to be a *compact*, did the colonists not enter into that compact *not* to make laws contrary to the British legislature? Have they not constantly acknowledged the right of that supreme legislature, in the 7th and 8th of William the 3d, "that all bye laws and customs in America, contrary to that act, or any other, to be made in England, shall be void?" Did they ever, till now, contest the legislative authority? Are they not bound, then, by *that* compact, to obey the laws of parliament? Wherein has *Great Britain* attempted to destroy their governments, established by charter, until they rebelled? In what manner are these free governments open to all the world, without being subject to the supreme legislature? Wherein can any attempt have been made to *force* upon them our *own* mode of government, when, by compact, they were subjected to it? Would *France* and *Spain*, in the place of Britain, acquiesce with the infraction of *such* compacts, and not treat their colonists as rebels? And ought we to applaud any zeal these colonists discovered, in repelling the constitutional authority, which they had compacted to obey, and which had been their salvation? Is the *reduction* of rebellion an injury?

The Doctor then adds: "But the truth is, in the present instance, that we are not maintaining, but violating our own constitution in America." The truth is quite the contrary, as it is evident from what has been just related. We are preserving the legislative authority of this kingdom over the chartered governments, which, by compact, are subjected thereto. It is the constitution, which gives this supreme authority to the legislature: we are, therefore, *maintaining*, and do *not* violate our own constitution; and the Doctor's truth is an arrant falsehood.

To this he subjoins: "The essence of our constitution consists in its independency." And yet the Doctor would have it *dependent* or subordinate to the royal prerogative of granting charters. It is in that superiority that it becomes independent. Does the Doctor mean, by the essence and independency of the constitution, that no chartered corporation is to be subject to the legislature? Would not this be such a condition of things, as would be subversive of *all* government, and make as many independent states as there are bodies corporate in England? Mevagisy and St. Maw's in Cornwall, two very small boroughs, and what are called the *rotten* part of the constitution, would then be independent states. However, the Doctor asserts, that "there is, in this case, no difference between *subjection* and *annihilation*." And, thus, the legislature's proceeding according to the Doctor's compact, with the Americans, in which they *subject* themselves to the legislature, is an annihilation of their governments; although the Doctor says, they hold their governments by *that* compact.

The next is a bold stroke. "Did, therefore, the colonies possess governments perfectly the same with ours, the attempt to subject them to ours would be an attempt to ruin them." But, Doctor, where is the attempt to ruin them? By compact, they are subject to the supreme legislature, as all the parts of the British dominions are, which have or have not charters. Lord Camden and Chancellor Yorke, already quoted, pronounce, that all the subjects carry the laws of England wherever they establish colonies. Can there be an attempt to *do* what is *already* done? and so far are the colonists from being ruined by it, that even this Doctor, in the preceding page, avers they have "grown and flourished." He then adds: "A free government loses its nature, from the very moment it becomes liable to be commanded or altered, by any superior power." This being, as it is, applied to chartered governments, reduces London and all the towns and bodies corporate in England to a deprivation of their freedom, from the moment in which they received their charters. Why do not the London and other corporations resign these enthralling charters, and free them-

selves from the slavery of the supreme legislature? Why did the Doctor accept, and so gratefully thank the common council for presenting him his *freedom* of the city, when he knew they were subjecting him to *slavery*? Why did he consent to accept it, and make himself, in the name of freeman, a voluntary slave to the legislature? But *slavery* is no slavery when it is accompanied with *gold*.

And now for the following observations, which he says, p, 49, he "intended principally to make."——

"The fundamental principle of our government is, the *right of a people to give and grant their own money.*"

True, Doctor; by *their* representatives. These representatives have been already proved to be as much the representatives of the colonies, as of the British subjects. These representatives gave and granted the American duties, according to the right of a *free* people. It is the duty of the executive power to oblige them to pay these duties; and it is the duty of the legislative to grant those aids, which are requisite to compel all such refractory subjects as rebel against that supreme authority, which, as the Doctor says, is the right of a free people.

"It was," says he, "an attempt to encroach upon this right, in a trifling instance, that produced the civil war in the reign of *Charles* the first." This was *Hampden's* refusal to pay ship money: because it was a tax to be raised by an exertion of the prerogative royal, against that right, which the people possessed, to raise their own money, by the legislative power. It was, then, a *tyranny* in *Charles*, and a *slavery* in the people to obey it. The opposition of the colonists is founded on the right of that people, to raise their own money by *royal* grant: and now the authority of parliament is a tyranny.

The colonists are *enslaved* by it, and the royal power by *charter*, acting exactly as it did by *proclamation*, in the reign of *Charles* the first, which *enslaved* the English, would *free* the colonists from being slaves, and secure their liberties. Because as they assert, the King has a right to *supersede* the legislative power by a *charter*. Thus, the case of *Hampden* is full in the teeth of the Doctor's observation. It makes *Hampden* and all his adherents *rebels*, because they *opposed* the *regal* power, and supported the legislative; and it makes the *Americans* loyal

loyal subjects, because they support the *regal* and oppose the legislative authority.

He then asks : " Ought not our brethren in America to enjoy this right, as well as ourselves ?" The presbyterians are no otherwise *our* brethren, than according to Dean Swift :

And, thus, fanatic saints, tho' neither in
 Doctrine or discipline our brethren,
 Are *brother protestants and christians* ;
 As much as Hebrews and Philistines :
 But in no other sense, than nature
 Has made a rat our fellow creature.
 Lice from your body suck their food :
 But is a louse your flesh and blood ;
 Tho', born of human filth and sweat, it
 May well be said man did beget it.
 But *maggets*, in your nose and chin,
 As well may claim you for their kin.

However, I verily believe they are Doctor Price's *brethren*, and he has a just claim to their brotherhood. What right ? " That of levying their own money, by their own representatives ?" They do enjoy it in Britain ; but they want to set the regal above the legislative power ; their chartered assemblies above the British parliament ; grants, subjected to the legislature, above the laws ; and, therefore, " the principles of our constitution do give it us, and" *not* " deny it to them." " Or," says he, p. 50, " can we, with any decency pretend, that, when we give to the king their money, we give *him our own* ?" The whole artifice of this question consists in a juggle between *we* and *they*, *ours* and *theirs* ; whereas, the house of commons, being *their* representatives equally with *ours*, when they give *American* money, they as much give *their own*, as when they give *ours* ; these different dominions having been fully proved to constitute the same country with Britain, and the rights of representation, &c. to be equally those of the colonists as ours.

The Doctor then asks a question, which, I imagine, was never suggested by prudence. " What difference does it make, that, in the time of *Charles the first*, the

“ attempt to take away this right was made by one man; but that, in the case of *America*, it was made by a “ body of men !” All the difference that can possibly exist between two things. The attempt of the *one man* was repugnant to the right of the people and of the legislature, which alone had a right to tax the subjects. The attempt of the legislative body of men is, to support the constitutional right of *taxing* the Americans, and *not* to take away any right from them. And now, Doctor, I shall conclude this section with saying that, when you pronounce that, in a word, “ this is a war undertaken not only against the principles of our constitution, but on purpose to destroy other similar constitutions, in *America*, and to substitute in their room a “ military force,” you utter the most egregious ignorance of our constitution, or the most flagrant misrepresentation of truth that can be well conceived. The exertion of the legislature is not a “ gross and flagrant “ violation of the constitution,” as you assert: but a war undertaken congenial with the principles of it, to support similar constitutions of the colonies, and it is fully justified by *reason* and by *equity*.

SECTION IV.

Of the Policy of the War with America.

I Shall now examine into the Doctor's section of the policy of the American war, on the part of *Great Britain*. In p. 31, he says, “ he has already enquired “ how far reason and justice, the principles of liberty, “ and the rights of humanity entitle us to that supremacy:” and I trust that, not only a full refutation of all these, as the Doctor has defined and treated them, has been already given; but that *Great Britain* is amply justified in this war, by all the antecedent particulars. “ Setting aside, therefore,” says he, “ all considerations of this kind, I would observe, that this “ supremacy is to be maintained, either for its own “ sake,

“ sake, or for the sake of some public interest, connect-
 “ ed with it, or dependent upon it. If *for its own sake*,
 “ the only subject of the war is the extension of domi-
 “ nion, and its only motive is the lust of power.” This
 is, indeed, a very singular assertion. If a person com-
 mences a law-suit against another, for an estate of which
 the latter has forcibly possessed himself, it is not to ex-
 tend, but to regain that estate, which is the only ob-
 ject of his litigation. Can the Doctor’s assertion be re-
 conciliable with common sense? Into what part of A-
 merica is the Supreme legislature attempting to extend its
 dominion? Has not our dominion at all times extended
 over the colonies? The object of our army is, therefore,
 manifestly to *maintain* our just dominion, and not to
 extend it. It is to alleviate the distresses of the honest
 and industrious poor, who, in England, by their daily
 toil, and the sweat of their brows, labour to pay those
 taxes, on which the enormous sums of money were raised,
 that saved those rebellious ingrates from absolute
 perdition. To this end the right of taxing the co-
 lonists is enforced by the Supreme legislature. Is this
 proceeding not an act of *reason* and *equity*, but a lust of
 power? It is nothing less than an obedience to the calls
 of justice. He then says: “ All government, *even within*
 “ a state, becomes tyrannical, as far as it is a needless
 “ and wanton exercise of power, or is carried farther
 “ than is absolutely necessary, to preserve the peace, and
 “ secure the safety of the state.” I wish to know, what
 government there can be *without* a state. Is not govern-
 ment the interior direction of national affairs? And the
 present armaments of government, against the colonists,
 coincide precisely with the Doctor’s definition, of their
 being *just* and *needful*. They are absolutely necessary to
 restore peace, and secure the safety of the state from the
 violation of subjects in rebellion: and let me tell this
 Doctor, whoever that excellent writer may be, that nam-
 ed the Doctor’s state of things, *governing too much*, it is
 a miserable conceit in political writing. As to his hypo-
 thetical *suggestions*, concerning government, I shall con-
 sider them as visionary, and proceed to p. 54, when he
 returns from the land of phantom and chimera to that
 which positively relates to his subject.

He

He continues: "But what deserves particular consideration here is, that this is a contest from which no advantage can possibly be derived." Nothing within the reach of *possibility*.—And yet, I will engage to find some *probable* advantages, notwithstanding this peremptory assertion.—"Not a revenue," says the Doctor. His reasons are: "for the provinces of America, when desolated will afford no revenue." But from what does he conclude they will be desolated? Rebellions are most commonly subdued without desolation. The chance is, if the Doctor would *calculate*, that they will not be desolate; and then, there rises *one* probability against the Doctor's *impossibility* of advantage. But, should they be reduced to desolation, to themselves will they owe it. When has it been deemed an act of policy to abstain from subduing rebels, through the apprehension of desolating their possessions? Within a century, *Turenne* laid waste the *Palatinate*, by fire and sword. Has it remained in that state? A few years recovered it to its former condition. From desolation there is nought to fear. It is chastisement, and not destruction, which is intended for the Americans. "Or, if they should," says he, "the expence of subduing them, and keeping them in subjection, will much exceed that revenue." On what *data* does the Doctor calculate the number of troops that are necessary, the revenue sufficient to support them, the powers which the Americans possess of raising that money, and what is sufficient to pay the interest of those sums, which may be raised to subdue them? Before these accounts are bestowed upon us, I presume to think the Doctor is mistaken. However, it is boldly asserted. It is patriotism, and that suffices.

The Doctor continues: "Not any of the advantages of trade: for it is a folly next to insanity to think trade can be supported by impoverishing our customers, and fixing in their minds an everlasting abhorrence of us." But, Doctor, whilst we keep them the subjects of Great Britain, they will be obliged either to trade with us, to make themselves what they want, or to forego the use of those commodities which they now import. Even the two latter are, by no means, less eligible, than permitting them to be independent of this crown.

Impo-

Impoverishment, as a *penalty* for rebellion, will be *justice*: and as to the abhorrence, which the New England apostates entertain of the English constitution, both in church and state, they carried it with them to America. They have cherished it at their hearts, from the first moment of their settlement to that of breaking forth in open rebellion. "It remains, therefore, that this war," says he, "can have no other object but power:" and, that power is not its object I have already proved, and shewn, also, in what it does consist.

His subsequent passage I shall attempt to parody.— Miserable reflection! To instigate the unhappy Americans to sheath their swords in the bowels of their fellow-subjects, and spread misery and ruin among themselves! To encourage them, by *false* and *deusive* representation of things, to oppose that supremacy, which they had hitherto acknowledged! To distress administration; to drive them from his majesty, and to assume their places. How horrid! This is the cursed ambition that led *Cromwell*, *Cæsar Borgia*, and many other sanguinary villains, to usurp dominion, and lay waste the earth.

And now I shall presume to shew what may, at least, be a political reason, and of that he is talking, why the war against the Americans should be vigorously pursued.

The Doctor hath already told us that, "in 50 or 60 years, the colonies will form a mighty empire, of many states, each of which will be equal to Great Britain, in arts, &c." In that time, will they not, consequently, become enabled to conquer, not only all our sugar islands, but all the others of the European nations, and even South America, with all the mines of Mexico and Peru? Will they not, then, be enabled to make and manufacture, not only all they want, but sufficient to supply, by exportation, the whole American world? By such events, shall we not lose our West India trade? But, as almost all the real riches of Europe, acquired by commerce, have, in fact, been consequent of the gold and silver brought from *South America*; and as almost all our trades do ultimately depend on the continuance of it, to what a state of commerce will this kingdom be reduced, should *South America* become the conquest of the Doctor's Northern

thern empire! It is, therefore, not only the interest of Great Britain, but of France, Spain, Portugal, Holland and Denmark to be vigilant on this rebellious attempt of the colonies to become independent; and, although *we* should not, *they* must prevent it. If, therefore, our arms should fail, the Americans will, nevertheless be humbled. And, certainly, no men were ever more egregious enemies to their native land, or friends to *France*, than those, who, in and out of parliament, abet the cause, and encourage the rebellion of the colonies. For, whilst they have induced the refractory spirits of the Americans so far to resist our lawful authority, that by us or other powers, they must be subdued; they have excited a war, which, by its expensiveness, must render Britain less able to find supplies. They compelled the legislature to subdue the colonists, which is doing the business of the *European* nations abovementioned, in relation to their settlements in *America*, at no expence of their *own*; and they are obliging parliament to raise millions of money in England, thereby to answer the ends of the European states, by reducing the abilities of *that*, which these patriots *should* consider as their country. Yet, this is the pursuit and blessing of present patriotism. Is it, then, sound policy, not to reduce these rebels to obedience? Is it more preferable to be deprived of all the American commerce, than to have a diminution of it for a short time? *Miserable policy! How horrid!* And now, I imagine, the Doctor's *impossibility*, "that advantage can be derived from the war," is proved, not only to be *possible*, but that it is a *conduct* founded on the *true* policy of a state, which discerns its proper objects, forces its effects, and resolves to defeat them.

The Doctor continues, p. 55: "But a worse principle, than even this, influences some among us." True, Doctor. "Pride, and the love of dominion are principles hateful enough." But resentment, for being no longer in administration; the support of rebellion, through the desire of revenge; and of subverting the constitution in church and state, are infernal and *patriotic* principles. These, I know, have no small share in guiding *your* conduct; and it is impossible not to be astonished at the virulence and malignity, with which those
presume

presume to speak and write against their country's rights and dignity, in favour of the colonists in open rebellion. He then asks, "For what have they done? Have they crossed the ocean and invaded us?" What a *question* is that to ask! Had they powers to effect it, would they not have long since invaded us? "Have they attempted to take from us the fruits of our labours, and to overturn that form of government which we hold so sacred?" They have attempted both. Are they not in arms, attempting to make those colonies independent of Great Britain? those colonies which are constitutionally established, and have been preserved, at the expence of millions, raised on England only? Were not these millions for the preservation of the colonies, and the colonies themselves the fruits of our labours? Are they not in arms, attempting, in America, to overturn that form of government, which hath been uniformly extended and acknowledged through all our settlements, and which we hold so sacred; whilst this Doctor, and the patriots, are abetting their rebellion, and labouring to effect the same nefarious purposes in this kingdom?

With what face, then, can he have asked, "What have they done?" I will tell him. These innocent American assemblies resolved not to admit the stamp act. The populace universally rose. The stamp act papers were seized and burned: the stamp officers were forced to resign their commissions under the gallows. The houses of the magistrates were rifled and pulled down; and all those, who dared to pronounce a single word in favour of the powers of parliament, were expelled their country. They committed egregious felonies, in seizing and destroying the tea, and in burning one ship, in which it was contained. They violated their chartered governments, which, the Doctor asserts, no power on earth may change. They renounced the constitutional authority of the supreme legislature, formed a congress, enacted new laws, and assumed the powers of government in levying forces, coining paper money, and commencing hostilities against Britain. They have taken arms, invaded the Canadian territories of this realm, taken her forts, arms, ammunition, and all kinds of military stores, and some hundreds of our English soldiers prisoners of war. To
evince

evinced their zeal for the liberty of the press, they have destroyed the printing house of James Rivington of New York, the only person who had resolution to print and publish one syllable in justification of the legislature. They have, by threats, of *having their blood*, driven many clergymen from their churches, to seek an asylum in Britain, and reduced the rest to want and misery, for whose support collections are now making in England. And, lastly, they have published, under the eye of the congress, a renunciation of all *dependency* on the legislature, with such gross, inhuman, and unjust expressions against his Majesty, as are, at once, more than sufficient to evince their brutality and rebellion. These are the things which they have done. With *consciousness* of these *truths*, Dr. Price hath asked the question. Unexampled effrontery, to say that, "it cannot be pretended, that the Americans had done any thing offensive!" Unparalleled ignorance, not to foresee, that these facts would be brought in refutation of his groundless assertions!

And now he adds: "On the contrary, this is what we have done to them. We have transported ourselves to their peaceful retreats, and employed our fleets and armies to stop up their ports, to destroy their commerce, to seize their effects, and to burn their towns." What an egregious confidence must this Doctor possess, who dares to call the colonies retreats of peace, when they were then in open rebellion*! The preceding circumstances, which he effects to have believed as acts of wanton cruelty, are, in fact, too signal marks of mistaken mercy. By that ill-timed indulgence, they have been the more readily induced to persevere in their rebellion, and in the shedding of much human blood, which would have been spared, by a more vigorous exertion of power. Nothing so effectually fosters the spirit of treason, as a temporizing leniency of conduct. Such measures have been universally received, by all rebels, not as indications of a merciful disposition, but as acts proceeding from *fear*, and from a consciousness of their not being to be subdued. But our armies are now gone forth, and rebellion will flee before them.

And now, I entreat you to remark the subsequent passage of the Doctor. "Would we but leave them alone,"
"and

* Vide Bernard's letters.

“and suffer them to enjoy, in security, their property
 “and government, instead of disturbing us, they would
 “thank and bless us. And yet it is we who imagine
 “ourselves to be ill-used.” Ah! what a presbyterian
cant, of *thank* and *bless*, is here! This is, in plain Eng-
 lish, if after so many millions spent in their support,
 and to their salvation, in consequence of which they have
 been so amazingly enriched, we would still continue to
 add no further taxes on them; but persist in binding *you*,
 my honest fellow-subjects of England, to toil all day, in
 distress and penury, to raise those supplies of money,
 which *they* may want, in succeeding wars, they would not
 have disturbed you. What a generous people are these co-
 lonists! They clamour for *liberty*, and would keep *you*
enslaved, to labour for their service, and themselves with-
 out contributing to the national support. Instead of
 thanks, ought they, and would they not have secretly
 derided the legislature for such tameness and inattention?
 Believe me, the sectaries of America neither have, nor
 ever had *but* curses for the *constitution* of England. I have
 already proved, that neither their governments nor prop-
 erties have been the least invaded. Taxes are a debt,
 due to the state from all its subjects. Have we not rea-
 son for *more* than to *imagine* ourselves ill-used by such an
 unnatural and unprovoked rebellion?

I shall omit the passages in his next paragraph, as they
 contain nothing which has not been already answered.
 And he then exclaims, “what strange language” has he
 “sometimes heard of! By an armed force, we are now
 “endeavouring to destroy the laws and government of
 “America”—which *laws* and *government* they have for-
 feited, by infracting the conditions of those charters, or
 compacts, by which they were held; which no power on
 earth may lawfully infract, according to this very abettor
 of their *treason*: and, when by arms, we are endeavour-
 ing to support *law* and *government* over them, he asserts;
 that we are destroying both. He then adds: “We are
 “insisting on our right to levy contributions on them,
 “and, to maintain this right, we are bringing upon them
 “all those miseries a people can endure.” It is a right
 indisputably proved to be inherent in the supreme legi-
 slature: and, consequently, those who rebel *against* that
 right

right bring on their *own* miseries. And certain it is, as it has been asserted, "we mean nothing but their security" and happiness: security from the oligarchic tyranny of their demagogues, and the happiness of continuing under the too benignant government of Great Britain; beneath whose fostering wings they were first warmed, by which they have been protected, saved, grown rich and insolent. These indulgences, like the heat of a too forward spring, have pushed forth the blossoms of their democracy, the fruit of which is rebellion. It will not be mature. It will fall before the blast of the British armies.

But the Doctor tells us, p. 58: he has "wandered a little from the point he intended principally to insist on" in this section; and I have followed him, and shewn they were *wanderings* indeed. *Hæret lateri lethalis arundo*. This point is, "the folly, in respect of policy, of the measures which have brought on this contest, and its pernicious and fatal consequences. The following observations," he says, p. 58, "will," he believes, "abundantly prove this." I will examine these observations. "The colonies were, at the beginning of this reign, in the habit of acknowledging our authority, and of allowing as much power over them as our interest required, and more, in some instances, than we could reasonably claim." With what more than *jesuitical*, with what *presbyterian* evasion of the truth is this sentence replete! Is it possible, from these equivocating terms *not* to conceive that this *habit* of acknowledging our authority, this *allowing* us a power over them, were gracious *concessions* of the colonies to Great Britain? Yet this habit, this allowance were the absolute conditions of those charters, by which their governments were formed; and their obedience to the parliament has been acknowledged, in their being constitutionally subject to be taxed by the laws of England;—their applications to the House of Commons, as to their representatives, and receiving aids, by armaments and money;—their petitioning that house, and acknowledging the supreme legislature of the realm, for more than a century past:—these are denominated *habits* and *allowances*. Flagitious act, of evading truth to foster rebels! What he then says relative

rive to their "retaining this habit," is a repetition of the assertions which are already answered, and means exactly, that, had the legislature been so egregiously supine, as to have suffered *them* to have remained *untaxed*; and you my fellow countrymen of England, to be incessantly doomed to slave, and find the money which they may want, "they would always have been growing more attached to us;" like leeches, that fatten at ease, whilst they *drain* the blood of those on whom they are painfully fixed.

In p. 60, he asserts, he has "reason, indeed, to believe, that independency is, even at this moment, generally dreaded among them, as a calamity, to which they are in danger of being driven, in order to avoid a greater." The contrary of this it would be folly not to believe he *then* knew. The very existence of a Congress, forming a new government, is nothing less than a declared intention to be independent. The proclamation of the *New England* men, of the 12th of February, pronounces it. A pamphlet called *Common Sense*, and its appendix, published by approbation of the Congress, expressly declare their having determined to be independent of the supreme legislature and their sovereign, and that to this end they have taken arms.

I shall take no notice of his *conjectures* and *supposes*, respecting events. He *may* calculate, but he *is* certainly *no* conjuror, and cannot foresee. It is the Doctor's happy disposition, never to rest until he has refuted himself. In p. 61, after enumerating the acts of parliament which the colonies have uniformly obeyed, he confesses their acknowledgment of the supremacy of the legislature. There is," says he, "however, no reason to doubt but, in time, they would have sunk into a quiet submission to this revenue act, as being, at worst, only the exercise of a power, which they then seem not to have thought much of contesting, I mean the power of taxing them *externally*." What is this, in Doctor Price, but an acknowledgement of the right of parliament to tax them; as, in fact, they did, by applying to parliament, to have that tax diminished or the act repealed? He continues: "But, before they had time to cool, a worse provocation was given them, and the *Stamp-act* was passed. This being an attempt to tax them *inter-*
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nally,

“nally, and a direct attack on their property, by a power which would not suffer itself to be questioned, which eased *itself* by loading *them*, and to which it was impossible to fix any bounds, they were thrown at once, from one end of the continent to the other, into “resistance and rage.” And now, the true cause of their rebellion is evinced. They would not suffer themselves to *ease*, by pecuniary aid, the inhabitants of England, who had been so much oppressed, by *taxes*, to save them. But this distinction of *external* and *internal* taxation was a *footstool*, brought forth by one of the House of Commons, become an *old woman*; and who has since been an *old lady*, in the House of Lords. The postage was an *internal* tax on *paper folded* like letters; the stamp-act on *paper unfolded*. Wherein lies the difference? If the *latter* were an *internal* tax, the former was the same. The right of the supreme legislature, in the reign of William the Third to inhibit the colonists the selling of their lands, but to English subjects, without the consent of King and council, essentially affected their internal government. What is the stamp, or any other act, compared with that? And, as to the right of taxing them beyond bounds, the absurdity of that assertion has been already shewn. Respecting the repeal of the stamp-act, and the declaratory-act, by which the legislative supremacy was said to have a right over them, I have already spoken, in this essay and in the answer to Burke’s speech, to which I refer my readers.

“On the repeal of the stamp-act,” he says, p. 62, “peace was restored.” A falsehood, already proved from Barnard’s letters. Nor, indeed, was it likely to be restored after the declaratory-act was past. The colonists saw the folly of this distinction between external and internal taxes: and felt the assumption of parliament, to which no representatives can have a right; a power of instituting legislative acts, in all cases whatever. And then he adds: “Had no farther attempts, of the same kind, been made, they would, undoubtedly, have suffered us “(as the people of *Ireland* have done) to enjoy quietly “our own declaratory law.” The case of Ireland is totally different from that of the colonies. Ireland is subject to the sovereign of the British dominions, not as
King

King of *Great Britain*, but as king of *Ireland*. The crown of *Ireland* was transferred to John and his heirs, by Henry his father, whilst that father was still alive. It was again re-united, when John ascended the throne of England. But where is this declaratory act to be found, that pronounces the *Irish* to be subject to the *British* legislature, in all cases whatever? This is nothing but an inflammatory falsehood, to unite the natives, in the cause of rebellion, with presbyterians, whom they ought of all curses to detest. The *Irish*, therefore, who may vindicate the opposition of the *Americans*, from any similarity in their case with that of the colonies, degrade themselves. They are entitled to a *higher* claim. By justifying the *Americans*, they reduce themselves to the *inferior* situation of a *chartered* government and a *subordinate* legislature.

"But," says Dr. Price, "the spirit of despotism and avarice, always blind and restless, soon broke forth again; the scheme of drawing a revenue from America, by parliamentary taxation, was resumed, and, in a little more than a year after the repeal of the *stamp act*, when all was peace," which is a conscious *untruth**, "a third act was passed imposing duties, payable in America, on tea, paper, glass, painter's colours, &c." This, then, was no internal tax, according to that ridiculous distinction. It was exactly similar to those on rum, sugar, molasses, wines, &c. against the *legality* of which there was no objection. Instead of the spirit of *despotism* and avarice, which has never been considered to be *blind*; it was the spirit of *justice* which is always blind, and ought to know no distinction between the subjects of the same supreme authority. The history and the effects have been already described and exposed †, and, therefore deserve no farther notice.

On the tea being sent to America, he says, p. 64, "Ships were, therefore, fitted out, and large cargoes sent. The snare was too gross, too escape the notice of

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"the

* Vide the answer to Burke's speech.

† Vide answer to Burke's speech.

" the colonies. They saw it, and spurned at it. They refused to admit the tea. At Boston, some persons, in disguise, buried it in the sea." What snare can there be contained in this proceeding according to legislative right? But what an infamous palliative of *felony* does this Doctor offer, by saying the *tea* was "buried in the sea!" Can it be thought, by those who read that expression, and are ignorant of the truth, that this was a breach of the laws, for which the infliction is *hanging*? Does he not talk of this felonious destruction of property, as if it had been the drowning of a *kitten* or a *blind puppy*? What censure can be too severe for so notorious a publisher of fallacy and misrepresentation of truth? Whoever may receive such property, as he knows to have been stolen, is, like the thief himself, by law, to be punished. Is not *he*, then, who *knowingly* falsifies, to extenuate and explain away a felony, in *justice*, equally criminal with the felon? And, though the law condemn not, yet will not *equity* pronounce a like sentence and doom him to the gallows?

The progress of the rebellion, from their refusal of obedience to the legislature, in the duty on tea, I have already given *. The Doctor's declamatory rant, on "the policy of the last reigns," is not a little extraordinary. In that of William the third, we were the dupes of his predilection for Dutchmen and friendship for the Pope, engaged in wars, and first mortgaged, for the money borrowed to support their interests:—In that of Ann, the same design was continued for the Dutch, and the national debt increased:—in that of George the 2d, subsidies from England, in peace, were granted to German princes, to repay the money lent them from his *Hanoverian* dominions; and the interests and honor of *Great Britain* were twice sacrificed to that electorate. First, when Haddock, at Gibraltar, was inhibited to prevent the junction of the *French* and *Spanish* fleets, on a stipulation, that Mallebois should withdraw the troops of France from invading *Hanover*. Secondly, when the expedition to Rochfort was sacrificed to the treaty of *Closter Seven*. But let us see what this Doctor says, in his *appeal to the public*, on the

* *Vide* answer to Burke's speech.

the policy of the last reigns, p. 39, 40, in speaking of the sinking fund. "In consequence of its having been carefully nursed and cherished, for eleven years, the sinking fund had acquired a vigour, which promised much more than was expected from it. The loss, therefore, of the *dependence*, created by the national debt, and of the security it gave to the *Hanoverian* succession and the administration, was brought in too near a view; and, in these circumstances, it is not strange, that the policy of our governors should take a new turn, and that the ruin of the *sinking fund* should become no less a measure of state, than its improvement had been. His conscience obliges him to take this opportunity to add, that similar measures were, at this time, pursued, in another instance, of no less importance. For like reasons and like views, a pernicious influence was maintained and promoted in the house of commons, which hath sapped the constitution, and which may, in time, establish among us a tyranny of the most intolerable kind; a tyranny attended with the mockery of all the forms of liberty; a tyranny created, supported and sanctified by *parliament*. This is, indeed, the fundamental grievance of the kingdom, and that patriotism, the first object of which is not the removal of it, can be nothing but an imposture. To this grievance we owe, among other evils, the loss of the sinking fund. Had the guardians of the state been under no undue influence, they would have been more faithful, and could not have given up the great security of the kingdom. Unhappy Britain! How long art thou to lie thus bleeding, &c." Hence, is it not evident, if the Doctor speak the truth, that the support of the *Hanoverian* succession has been the ruin of the *sinking fund*; sapped the constitution and wounded Britain to the heart, of which she now lies bleeding. To this declaration, he says, he was then prompted by his *conscience*. Notwithstanding this declaration, actuated by the same *conscience*, he now exclaims, "How great would be our happiness, if we could recall former times, and return to the *policy* of the last reigns!" What a camellion conscience he possesses! Are the two and thirty points of the compass sufficient to

express the changes of the Doctor's *whiffing* conscience? It is evident, also, from the preceding passage, transcribed from his appeal, that the *removal* "of the *Hanoverian* " *succession*" was, then, the first object of his *patriotism*, "without which it could be nothing but an im-
" *posture*:" and, by calumniating the present policy of the state, is it not manifest, it still continues so to be? His conscience changes as his interest directs. He sails with every wind, that can possibly promote his voyage, and, like a stout seaman in *presbyterianism*, disdains to *eye-to*, but boldly turns to windward, against the gales of *truth* and even of his former assertions, to reach the port of rebellion.

These are times which our conscientious Doctor "begs leave, for a few minutes, to look back to, and "compare the ground we have left with that on which "we find ourselves. This must be done with deep regret."—That his Majesty's *removal*, I presume, is not accomplished. But, he says, "it forms a necessary part "of his present design." I believe it, Doctor. And now, I entreat your attention to the next sentence, which commences what he undertakes with such *great regret*, p. 67. "In those times, our colonies, foregoing "every advantage which they might derive from "trading with foreign nations, consented to send "only, what it was for our interest to receive of "them; and to receive only from us whatever it was "for our interest to send to them." Since the invention of letters, no passage hath more egregiously teemed with falsehood. To *forego* is *willingly* to resign. Did the colonists *willingly resign* every advantage they might derive from trading with foreign nations? Does he not know, that they were obliged to it, by the act of navigation and other laws of parliament? *Consent* signifies a compliance with any thing, which a person hath power to refuse. Was it a consent, then, when they sent to us whatever was for our interest to receive? Was it not equally their interest to send it? Did they consent, also, to receive *only* from us whatever it was our interest to send to them! What has ever been refused from hence, which they required? Does not their immense trade in smuggled goods, from the French and Dutch islands, ir-
refragably

refragably evince, that they did *not* consent to receive from us *only* what they wanted. Indeed, the Doctor's conscience ought to have been touched with great *regret*, when he wrote those *falsehoods* : but he says *they* formed a *necessary* part of his *present* design. Where then are this foregoing and consent of the Americans to be found ? In the faithless representations of Richard Price, D. D. F. R. S.

Dolus an virtus quis in hoste requirit.

And now for another sentence of equal veracity. " They gave up the power of making sumptuary laws, " and exposed themselves to all the evils of an encreasing " and wasteful luxury ; because we were benefited, by " vending among them the materials of it." By the charter, which, the Doctor asserts, " no power on earth " may change," they were prohibited by what he calls a compact, to make laws repugnant to those of England. How, then, could they possess a power to prohibit, by sumptuary laws, the importation of our merchandize into America ? Did they *give up* that power which they had *not* to give ; and was it to *benefit us*, they exposed themselves to the evils of a pernicious and wasteful luxury ? Can these falsehoods obtain belief even in such a conscience as the Doctor's is now evinced to be ?

He continues : " The iron, with which providence " had blessed their country, they were required, by " laws, in which they acquiesced, to transport hither, " that our people might be maintained, by working it " for them into nails, ploughs, axes, &c." What a forced and hypocritic application of the *providence* of God, in *blessing* the *Americans* with *iron*, does this contain ; and what an ignominious evasion of the truth, by saying, they acquiesced in laws, which, by their charter and the constitution, they were obliged to obey ? There is no law, which prohibits them from working their own iron into *nails, ploughs, axes, &c.* as he, by *inuendo*, would insinuate. They have not manufacturers sufficient to make those very utensils, and therefore, receive them from us. But this Doctor seems to *regret* even, that these colonies should transmit us materials to maintain the people of *England*, by their *own* work ; although they have toiled, for almost a

century, to supply millions, for the advantage of these colonies, and to save them from destruction.

The subsequent passage is equal in *effrontery*, to the others in *falsehood*. Page 68, he says: "But they yielded much farther. They consented, that we should have the appointment of one branch of their legislature. By recognizing, as their king, a king resident among us, and under our influence, they gave us a negative on all their laws." But a few pages antecedent to this he tells you, that their legislatures were granted by charter, from a king, which no power on earth may change; and now he talks of *recognizing that king*, to whom they are indebted for the grants of that government which they have. Was it a *consent*, on their side, that the king should have a negative on their acts of assembly? He goes on, p. 68. "By allowing an appeal to us in their civil disputes, they gave us, likewise, the ultimate determination of all civil causes." Can any thing be an *allowance* which men are obliged to do, in obedience to the very conditions by which they hold their governments? "In short," says he, "they allowed us every power we could desire, except that of taxing them and interfering in their internal legislation; and they had admitted precedents, which, even in these instances, gave no inconsiderable authority over them." These allowances and admittances, as it has been already proved, were the acts of duty, to which they were bound, both by charter and the constitution. Can this Doctor, who pretends to be a preacher of the truth, after the detection of so many falsehoods consciously promulged, resume a hardness of countenance equal to the mounting of a pulpit, even in a presbyterian *conventicle*? Concerning the payment of our taxes, the helping to bear our burdens and their fighting forces, I have already sufficiently spoken. But "their glorying in their relation to us, and always speaking of this country, and looking to it, as their home, and such was the state of things," is an egregious falsity, that properly concludes the long list above recited.

"Then," says the Doctor, "such was the state of things.—What is it now?" As unnatural and as unjustifiable

justifiable a rebellion, as ever apostate subjects raised against a benignant state.

Page 69, he advances stoutly: "Not contented," says he "with a degree of power sufficient to satisfy any reasonable ambition, we have attempted to extend it." If he mean by the duty on tea, it is false. If by changing the constitution of the province of Massachusetts Bay, it was the effect of their rebellion. He continues: "Not contented with drawing from them a large revenue *indirectly*, we have endeavoured to procure one *directly*, by an authoritative seizure; and, in order to gain a pepper corn, in this way, have chosen to hazard millions." We, in England, Doctor, pay our taxes *indirectly*, in the price of those commodities we buy; and *directly*, also, by the impost on land, windows, and numerous other things, of which the Americans nothing know. We have neither bounties, premiums, nor drawbacks, by the same authoritative seizure of acts of parliament, which is, indeed, a *modest* term for an act by the legislative authority. It is more becoming the spirit and more consentaneous with the interest of a great nation, to hazard millions, than to suffer rebellion to be unchastized, and the colonies to become independent of the legislature; as peace cannot be otherwise established.—Instead of "vile policy," it is sound policy. And government ought to be so conducted, as to be a scourge to rebels.

He persists: "Had we never deserted our old ground."—It is proved, it has never been deserted.—"Had we nourished and favoured America, with a view to commerce, instead of considering it as a country to be governed;"—its commerce has been uniformly nourished and favoured: and why should that be considered as an ungovernable country, which had, till their revolt, been peaceably governed?—"Had we like a liberal and wise people rejoiced to see a multitude of free states, branched from ourselves,"—although, as the Doctor says, it be a *different* country—"all enjoying similar legislatures, independent of our own;"—they still enjoy the same independency with all those chartered, independent legislatures, which are our *own*. And to have suffered them to possess any other, instead of liberality, it would

would have been profusion, instead of wisdom, folly.—
 “ Had we attempted to bind them to us only by the ties
 “ of affection and interest ;”—we have tried it, to no
 purpose : they have rebelled. Presbyterians and inde-
 pendants are not to be tied by affection. Like Satan
 and his host, were they in heaven, they would renounce
 the celestial mansions and their interest, to take arms and
 rebel against the supreme power.—“ Had we contented
 “ ourselves with a moderate power, rendered durable by
 “ being lenient and friendly ;”—it is that *moderation, le-*
niency, and friendship, that has made them arrogant and
 rebellious.—“ Had we contented ourselves to be an um-
 “ pire in their differences, an aid to them in improving
 “ their own free governments, and their common bul-
 “ wark against the assaults of foreign enemies : had this,
 “ I say, been our policy and temper, there is nothing
 “ so great or happy, that we might not have expected ;
 —that is, in plain English, had we fought their battles
 against their enemies ; raised the money on England to
 support the war and to repay them what they had raised
 on themselves ; and never levied a tax on America, we might
 have expected, they would have been contented to enjoy
 that happiness. Had this, *I say*, been our policy and
 temper, the legislature would have been treacherous to
 their trust, and the nation been despised by every state in
 Europe.—“ With their encrease, our strength would
 “ have”—*diminished* ;—“ a growing surplus in the re-
 “ venue might have been gained, which, invariably ap-
 “ plied to the gradual discharge of the national debt,
 “ would have delivered us from the ruin with which it
 “ threatens us.” What, Doctor ? Might the leaving
 America *untaxed*, and being “ their bulwark against
 “ their foreign enemies,” at our expence, have made a
growing revenue, for the *discharge* of the national debt ?
 Is not this something more than a *paradox* ? He then
 says, p. 70, “ The liberty of America might then have
 “ preserved our liberty ;—by our being eternally obliged
 to support them in their wars, and raising money for
 their salvation, until we became bankrupts ?

He then says, “ The American colonies, particularly
 “ the northern ones, have been, for some time, in
 “ the *happiest* state of *society*.” Such are the tokens of
 tyranny

tyranny on the part of the legislature, and of *slavery* on that of the colonists. That happiness they have wilfully abandoned. And heaven grant it may never return to them, until they are brought to a due sense of their unprovoked rebellion, and humbled to that dirt from which they sprang.

I shall take no further notice of the Doctor's hypothetical *had we's*. The following passage, however, is too remarkable to be passed unnoticed. Page 70, he says: "The liberty of America might have preserved our liberty, and, under the direction of a patriot king or wise minister, proved the means of restoring to us our almost lost constitution." And, with this *loss* in his mouth, this Doctor labours to deprive the constitution of its undoubted right to tax *America*. But, on what ground is this unjust insinuation against his sovereign? Can that king be deemed *unpatriotic*, who supports the constitution and the people's rights, in preference to his royal prerogative, which the Americans and the Doctor assert is superior, in his acts of granting charters, to the supreme legislature? But let him name the sovereign, in whose reign the rights of the people have been so absolutely void of all endeavours to be diminished. Let him review the comparison between William 3^d, and his present Majesty, in the latter part of the answer to the queries, which I published. Let him object, if he dare, to the justness of that state of facts. Let him select what prince he pleases, it will be a slender undertaking to refute his charges. In what king will he find the virtues of the sovereign, son, husband, father, friend, so eminently united. So conscious are his presbyterian enemies of this truth, that according to their eternal practice of misrepresentation, they have recourse to excess of mercy, that divine attribute, as a crime wherewith to calumniate their sovereign. Whilst the congress in America, in a publication called common sense, professedly avowing their resolution of being independent, have with unexampled impudence called him the royal brute. In this manner no contradiction is so absurd, no falsehood so egregious, that they have not the hardness to utter. Conscious that the populace never examine, but believe. And thus they spread the spirit of rebellion through the land

land. Vile insinuation! Abominable attempt, to render his sovereign odious to his subjects! Surely, fanaticism and his zeal for rebellion have turned his head. And this is the most charitable palliative that can be offered for his audacious proceedings.

He begins his subsequent paragraph with a contradiction to what he has previously asserted; that the colonies are enslaved by a supreme legislature; that they have laboured and traded for us only, and other things, of similar falsehood. He then says; "Our American colonies, particularly the northern ones, have been, for some time, in the very happiest state of society; or in that middle state of civilization, between its first rude and its last refined and corrupt state." Is such *happiness* a mark of *slavery*? Why did they renounce that happiness, by rebellion? He then adds, that "executions are seldom known amongst them;" and, in a note, that "but one execution has been in the Massachuset's province for eighteen years." But the Doctor should have recollected, that sheep-stealers never hang sheep-stealers: and that a perseverance in condign punishment would have depopulated the province. The Dutch thought proper to desist from the punishment of pæderasty, through fear of extinguishing half their great and rich families. And then, speaking of the encrease of the colonists by population, he says, "such an encrease was," he believes, "never before known. It demonstrates that they must live at their ease, and be free from those cares, oppressions, and diseases, which depopulate and ravage luxurious states."—And it *demonstrates*, also, that he has consciously been uttering falsehoods, with regard to their enslavement. Does he reflect on what he writes? Are *lives of ease and freedom from care*, the marks of slavery? Flagrant self-contradiction! Preposterous defence of unprovoked rebellion! Flagitious exercise of presbyterian falsehood! With respect to the bank and paper credit, nothing shall be offered. Convinced as I am that the national debt, may at all times be placed on such a footing, that all incumbrance may be removed, and the ancient vigour of the kingdom be re-instated, by such methods as are honourable and just in the legislature, and advantageous to those

those who are the public creditors. I shall now proceed to examine his fourth section.

SECTION V.

Of the honour of the nation, as affected by the war with America.

IN this section, Dr. Price sets out with saying, "One of the pleas for continuing the contest with America is, that our honour is engaged, and that we cannot now recede, without the most humiliating concessions." He then attempts to make "a distinction between the nation and its rulers," and that it is "melancholy, that there should be ever any reason to make such distinction. A government ought to be nothing but an institution, for collecting and carrying into execution the will of the people."—And this is precisely the way in which government has proceeded. They have collected the will of the people from their representatives, the constitutional and only way it can be known, according to the Doctor's plan; and are now carrying it into execution against the rebels. However, he says, "Let it be granted, though, probably, far from true, that the majority of the kingdom favour our present measures." Is it from John Wilkes, the rags of the London livery, and the Newcastle colliers; from Price, Priestly, Palmer, and the other teachers and preachers of the Presbyterian schism; from theirs, and all other congregations of the sectaries, that he draws his probability, that a majority of the people may not be in favour of the present measures? These data will not support his calculation.

He says, however, that "no good argument could be drawn from hence, against receding." The argument is, indeed, bad enough; but, as it is his own, he shall have it. In his definition of civil liberty, he says, that "any will, distinct from that of a majority of the community, is the force which, as far as it operates, produces
duces

"duces servitude." Is this not a good argument in favour of the present measures approved by a majority of the representatives? or does the Doctor renounce his definition, and adopt *slavery*, from a *minority*, as preferable to liberty, from a *majority* of the people? But what will not a Presbyterian renounce, in order to accomplish his designs? Has not, his friend, Priestley, renounced all claim to eternal happiness, by denying the immortality of his soul? He continues: "The disgrace to which a kingdom must submit, by making concessions, is nothing to that of being the aggressors in an unrighteous quarrel, and dignity, in such cases, consists in retracting freely, speedily and unanimously." True, Doctor. But in what manner can this be applicable to *Great Britain*? It has been proved, that the colonies are the aggressors in this unrighteous quarrel. It is, therefore, their duty to make concessions, and retract freely and magnanimously: or, it is the duty of the legislature, to which they are called by every sense of honour, to support their country; and to bring those rebels to a proper state of humiliation. And then, to the truth of that opinion which no one ever suspected, he calls the authority of that great man, who, during the last war, *delivered* us over to the Hanoverian interest, at the additional expence of thirty millions of money: whose ill state of health no friend to Britain can deplore. And what are they? RECTITUDE IS DIGNITY, OPPRESSION MEANNESS, AND JUSTICE HONOR. *Testimony*, in the Comedy of Sir *Courtly Nice*, says, SIN IS THE SINFULLEST THING IN THE WORLD. And what then? The question is, whether these stout words be applicable to the conduct of Great Britain. For, otherwise, whether they had been pronounced by the *angel* in the road, or by *Balaam's Ass*, it can make no difference.

Having, in the antecedent manner, cited, in *capitals*, the preceding assertions, of which no letter is small enough to express the *littleness*, he adds, that "*prudence*, no less than "*true honour*, requires us to retract." I believe it: because neither the one nor the other can require so absurd and so timid a proceeding. But his reasons are: "For the time may come, when, if it is not done voluntarily, we may be obliged to do it, and find ourselves under a

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"necessity of granting that to our distresses, which we now deny to equity and humanity and the prayers of *America*." But the time may, also, come, when the Americans may find themselves under the necessity of returning to their allegiance. That it should be equity and humanity to grant to rebels what they require, before they have desisted from rebellion, is a doctrine not to be found in the history of the world. It contains neither *rectitude*, *dignity*, *oppression*, *justice* nor *honour*, but it does, indeed, abound in excessive MEANNESS. "The possibility of this," says he, "appears plainly from the preceding pages." And so the Doctor has written a large pamphlet to prove, that the success of the American rebellion is *possible*. It is, indeed, a comprehensive term, but a most ridiculous ground, on which to take arms against their sovereign. It was a noble enterprize in the Doctor, and he has accomplished it accordingly. It is, indeed, *possible*, that Presbyterians may become loyal subjects, but who is there so wild as to expect it? They are Ethiopians in principle; they change not the colour of their consciences. He then adds, : "It will bring on us disgrace indeed: disgrace greater than the worst rancour can wish to see accumulated on a kingdom, already too much dishonoured." I beg leave to differ from the Doctor. There can be no greater disgrace, than for a nation to yield to rebels, without exerting every nerve to subdue them. And I do verily believe, that the rancour of Richard Price, D. D. F. R. S. preacher of *Christian Meekness*, according to his tenets, does most sincerely wish to see this kingdom accumulated with endless dishonour, rather than the American revolvers should be reduced to obedience. To what other end has he stuffed his observations with such manifold falsities and misrepresentations? Is it not to acquire new confederates to his rebellious cause; to alienate the subjects from their allegiance to the state; and to disgrace the kingdom with a greater accumulation of dishonour?

He continues, p. 89 : "Let the reader think, here, what we are doing. A nation, once, the protector of liberty, in distant countries, and the scourge of tyranny, changed into an enemy to liberty, and engaged to reduce to servitude its own brethren." It is impossible
he

he could have written this without a consciousness of its being false. It has been repeatedly proved, that nothing more was attempted, in the act which laid the duty on tea, than had been constitutionally done, unopposed, for more than a century, in a variety of instances, already cited. That no attempt was made on their free legislatures; no endeavour to reduce them to servitude, except by the declaratory act, by patriots. And, if this kingdom has been the scourge of tyranny, heaven grant it may be, as it has often been, the scourge of rebellion also.

He goes on: "A great and enlightened nation, not content with a controuling power over millions of people, which gave it every reasonable advantage, insisting upon such a supremacy over them, as would leave them nothing they could call their own, and carrying desolation and death among them for disputing it." This atrocious falsehood has been already, several times refuted. I would only ask, whether, from the malignity contained in this egregious untruth, it does not appear, beyond a doubt, that Richard Price has *rancour* sufficient to give him joy, in seeing this country reduced to disgrace and dishonour, by his presbyterian brethren? He then asks, "What can be more ignominious?" I will answer him.—His publication of the infamous falsehood in the preceding passage. He knows, that the means of conciliating have been offered, and rejected by these very men, who are now in rebellion. Desolation and death are due to rebels, by the laws of God and man. For this truth, I appeal to the vengeful texts of the Old Testament, on which their teachers now hold forth, in New England. "Vengeance is mine, saith the Lord:" and this they impiously apply, as an approbation of God, in their rebellion to their sovereign. As to Corsica and the Genoese, I have nothing to say. What is Corsica to us, or what are we to Corsica?

The Doctor, in p. 90, assumes the character of the showman, who, from behind the scenes, moves, and speaks for all, the puppets. In consequence of this power, as punch is the standing wit of that exhibition, he never speaks for another, whether he be the *grand Seigneur*, or the *grand Monarque*, any thing, but what his punch is sure

sure to excel by his answer; and in this manner he places such apologies in the mouths of those who are friends to their country, and defend the proceedings of the legislature; and then answers them himself, in hopes of gaining some credit, by refuting what has never been said but by himself. I have nothing to do with such opinions. He now proceeds to illustrate this doctrine, by examples. "The United Provinces of Holland," says he, "were once subject to the Spanish monarchy; but, provoked by the violation of their charters; by levies of money, without their consent; by the introduction of foreign troops among them; by innovations in their ancient modes of government, and by the rejection of their petitions, they were driven to that resistance, which we and all the world have ever since admired; and which has given birth to one of the greatest and happiest republics that ever existed." In which *great* and *happy* republic, had the Doctor written a pamphlet against government, like this of his observations, he had been brought to a due sense of his mistake, by punishment becoming them to inflict and him to receive. In order to evince the falsehoods contained in this attempt, to accommodate the event of the rebellion in the *Netherlands* to the present occasion of the patriots and presbyterians, in *England* and *America*, it seems necessary to shew the true cause and motives of the *Dutch* revolters. The reality of facts will then prove the falsities of Dr. Price.

At the time when the calvinists began their machinations, to subvert the constitution of the *Netherlands*, no people in the world were in the enjoyment of greater liberty. That I may not be suspected of an intention to deceive, I will take the description of it from the words of that very prince of *Orange*, who was the leader of that rebellion, in answer to the proscription of *Philip*, King of *Spain*. "By an original and mutual compact between the Dukes of *Brabant* and their vassals, those princes affirm, that they are obliged to preserve the privileges of the latter, and they, in return, affirm, that they owe obedience to the former. The privileges were, that the dukes cannot change the constitution of the provinces by any decree; that they are to require no more than their common revenue; that

"no new taxes can be raised, nor troops be introduced
 "into the provinces, without the consent of the *states* ;
 "that neither the value of money can be altered, nor
 "any man be imprisoned, or banished, without the
 "cognizance of the magistrate of the place ; that, by
 "their oaths, the lords of the provinces are obliged to
 "maintain and assert these privileges ; because, by the
 "laws of the constitution, the militia and arms are en-
 "trusted to them ; and, if they neglect their duty, they
 "are to be considered as the perjured enemies of their
 "country ; and, if these privileges were violated, they
 "had a right to depose their sovereign, and to place
 "another in his stead." This was the state of the *Ne-*
therland liberties, when the Calvinists began to broach
 their doctrines. But it so happened, that *William* Prince
 of *Orange* then existed. He was a favourite of *Charles*
 the 5th, and to him the Emperor imparted all his designs.
 So great was his ascendancy in the mind of that sove-
 reign, that, at the age of 22, he made him generalissimo
 of his forces, in preference to Count *Egmont*, who, in
 age and experience, was his superior. He was entrusted
 with the government of *Holland* and of *Zealand*, and
 honoured by being made a knight of the golden fleece.
 But the ambition of sovereignty was his predominant
 passion, and all his efforts were exerted to the acquisition
 of it. Conscious that *Charles's* humanity and mildness of
 government must prove an obstacle to his designs, he
 was greatly instrumental in persuading him to resign his
 dominions to *Philip* his son, whose austerity and reserve
 he was convinced might be converted to his purposes.
William was a man ambitious, hypocritic, unbound by
 religion, gratitude or honour, faithless, vengeful, san-
 guinary, insinuating, and intrepid. Stimulated by these
 qualities, and disappointed in being made governor of
 the *Belgic* provinces, when *Philip* returned to *Spain*,
 and the dutchess of *Parma* was made governess, he re-
 solved on involving the nation in blood. In order to
 accomplish his designs, his resentment yielded to his
 ambition. He disguised his sentiments and resolves, and,
 like the poisonous adder, that winds along the grass and
 leaves no trace behind, he still preserved his insinuating
 manners,

manners, reserved his venom, and was continued in the council and in power.

He now began to carry his arbitrary intentions into action, with the greatest hypocrisy and concealment. In order to ingratiate himself and to obtain power and preferment with the *emperor*, he appeared to be a zealous Roman catholic, although he had been bred a Lutheran; his father having established that religion in the country of *Nassau*. As the religion of *Luther* had prevailed among a considerable number of the Flemings, he, at first, intended to execute his designs by their assistance, and secretly professed himself of that religion. With a view, also, to obtain assistance in his purposes, he married a daughter of the Elector of *Saxony*, the most powerful of those states which had adopted the *Lutheran* church. On this account, when he was taxed by the Dutchess of *Parma*, as having deserted the Roman catholic faith, he solemnly averred the contrary: and his new-born child was baptized according to the rites of the Papal religion. Interest and ambition were the sole divinities of *William's* adoration. His conscience, yielding as melted wax, readily received impressions as they were successively applied; and the former was effaced by the latter, according as they might promote the purposes of his ascent to power. Nature had formed him of those pernicious particles, which compose the soul and conscience of a presbyterian.

The calvinists, at that time, had overwhelmed with seas of blood the dominions of *France*: and they had found the means also of gaining converts in the *Netherlands*. These heretics, from their vehemence, obstinacy, detestation of all sovereign power, and delight in sanguinary pursuits, *William* conceived to be perfectly adapted to sustain him in his advances to sovereignty. The *Lutheran* faith was, therefore, deserted. He became a calvinist and attached himself to the followers of that mode of worship, still wearing the Roman catholic mask. For, by that alone he could hope to preserve and to augment his importance in the council, and the more easily to accomplish his machinations. The troops of *Spain* having been called into *Flanders*, to the assistance of those provinces, and the occasion being accomplished, three

thousand of them were retained in that country, with design to overawe the calvinistical spirit of rebellion; *William*, who knew the cause of their retention; and foresaw the impediment they must prove to his designs, by intrigues among the states, prevailed on them to address the king, that those forces might be sent back to *Spain*, as being no longer of service in that country. Not succeeding in that application, another petition was presented to the dutchess. And, as it was founded on the constitutional right of the subjects, it wore the face of justice; and on that account, it more effectually served the purposes of *William*. The retention of them would undoubtedly have offered a fair occasion to represent the dutchess as a person resolved to subvert the liberties of the state, and to erect an arbitrary dominion. Treason never succeeds, but under the specious pretext of constitutional rights, and the preservation of liberty. But, as the lust of calvinistical bloodshed was then raging in France, that princess evaded a positive answer; persuaded that the presence of these forces in the Netherlands, might be requisite to prevent the like desolation and carnage in that country. The prince of *Orange*, together with Count *Egmont* had been left the commanders of the Spanish troops. They were, therefore, under the direction of Flemish officers, though they were Spaniards, which was some plea for their not being sent back to *Spain*. But *William* foresaw, that Spanish troops could never be seduced to support the cause of calvinism and rebellion. His first and most important object was to obtain their dismissal. The answer to the petition being deferred, and the forces not preparing to depart, he privately prevailed on the states to desist from raising that money, which was to pay them; and in council promoted their dismissal by his advice. They were, accordingly, sent back to *Spain*. Hence it appears, that what Dr. Price has asserted, concerned levies of money, raised without their consent; introduction of Spanish troops; innovation of their ancient form of government, and the violation of charters, which had no existence, is a coinage, like that which is practised by those who fabricate false money: it is not sterling. Thus far all was prosperous. Ambition, covered with the surcoat of liberty

erty and the constitution, was making hasty strides to seize on government.

Nothing is so dreadful to a subtle and designing man, who intends to subvert a state, as an able and an upright minister. Cardinal *Granville* was that man. He penetrated the designs of *Orange*, traversed his intrigues and opposed his intentions in council. His impediment must be removed, or his attempts would prove abortive. *William*, therefore, by plausible pretences, seduced the Counts *Egmont* and *Horne*, unconsciously, to further his intentions. He knew their pride, love of power, and envy of the Cardinal would induce them to join him, in obtaining his recall. They, therefore, represented *Granville*, in letters to the King, as odious to the people, obstructive of the true interest of *Philip* in the *Netherlands*, and the necessity of his being withdrawn from the council. They succeeded, and he was recalled.

From these instances, it is evident, that no object of their complaint remained, respecting foreign soldiers and improper ministers; both were dismissed by the King. But with them, he dismissed, in fact, the sovereignty of the seven provinces, which were subsequently called the united; and involved his country in blood and desolation. So fatal it is, in times of turbulence and innovation of the subjects, to listen to the charges of the designing, and the clamours of a deluded populace. The resolves of the calvinists daily became more evident. There were no troops in the country, but the militia, and these were in the hands of the lords of the provinces. But, as the civil rights of the people had suffered no invasion, the *Spanish* troops had been recalled, and the cardinal dismissed, they saw the absurdity of clamouring for the preservation of civil liberty and the constitution, and roared only for liberty of conscience in religion. Rebellion never succeeds, but when government by an ill-timed lenity, is intimidated from suppressing it in its infancy, by arms; the sole means which are adequate to such occasions. *Philip*, mistaken or misled, was unwilling to send an armament into that country, through dread of calumny and presbyterian clamour, objects that should ever be condemned by a great prince. He acted, as if he had been prompted by the prince of *Orange* to undo himself.

The case was urgent, and something must be done. Encreasing the number of Bishops, it was imagined, might create a greater vigilance in ecclesiastical affairs: and the terrors of an inquisition withhold the calvinistical preachers from being so audacious, in their revilings of the *Pope*, *Philip* himself, and the catholic religion. Admirable aids, to suppress the presbyterian spirit, by the means of exercising it, and affording reasons for their dissention! Was ever man more guilty of mistaken policy! Even the Roman catholics themselves, who approved the Bishops, saw the introduction of the inquisition with horror. Thus, he, at once excited an universal spirit of discontent, more effectually than if he had sent an army; and rendered himself unable to suppress the calvinists, by leaving that force behind, which could alone accomplish it. *William*, in council, coincided with the propriety of encreasing the number of bishops, and establishing the inquisition. Had they been prevented, the lives of thousands and ten thousands had been saved, together with the preclusion of enormous desolation, sacrilege and rapine. But sentiments of humanity were not the inmates of the prince of *Orange's* heart. Had he been the salutary means of suppressing *Philip's* intentions, respecting the inquisition, that merit would have proved but transient, and he had become the assassin of his own designs. He was fully convinced, that an opposition to them after they were established, would render him more conspicuously popular; inflame the calvinists; encrease their numbers; and even abate the ardor of the catholics for their sovereign, on the account of the inquisition. Despising the sensations of human kindness, which stand in opposition to the lust of power, he prepared to wade through rivers of blood, to obtain the possession of it.

It would be an extreme injustice, to charge the presbyterians with being inexpert in the application of all events to promote their purposes. Remorse of conscience hath never touched their hearts, but when they were defeated in their iniquities. They cannot be slandered with the impolitic *sin* of being *half-ragues*. From principle, therefore, they seized on the occasions of applying the bishops and the inquisition to effectuate their ends; and, in the latter of these, they had the semblance of be-
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ing honest. They, accordingly, by every means incensed the people against the horrors of the inquisition; and, as the episcopal revenues were to be taken from the rich convents, although monks and bishops were of equal detestation to them, they represented to those Renouncers of the world, the hardship and injustice of stripping men devoted to piety and to retirement from temporal enjoyment, in order to sustain the haughty prelates in pomp and luxury. To the magistracy of those cities, which were to be made episcopal sees, they held forth, how much their power would be diminished, by the presence and weight of the bishops. To the merchants they preached with great propriety, that, *without liberty of conscience, trade could never be supported.* This liberty was adopted, and has been constantly maintained by the Dutch; who, in Japan, renounce their God, to enrich themselves. In this manner, they artfully applied the motives of temporal welfare, to the establishment of their religion and government. Such are the effects of insinuating effrontery and egregious dissimulation.

Several of the nobility, whose dilapidated fortunes had rendered them open to every innovation, and who were secretly supported by the Prince of Orange, entered into a covenant, on oath, to oppose the inquisition and the establishment of the bishops; and that, if any man of them should be imprisoned, either on the account of entering into the covenant or of his religion, the others should take arms in his cause. To this intent, they drew up a petition, to be presented to the Dutchess of Parma, governess of the country. In presenting it, they were accompanied with great numbers of the populace, greedy of innovation; always prepared to assist such leaders as intend to pull down religion and the laws; God and justice being the chief objects of their dread; and, in their opinions, *these* are the *forces*, which act in opposition to Dr. Price's *moral, civil, and religious liberty*, and produce what he calls *servitude*.

When they delivered the petition, they entreated the princefs to believe that they were *honest* men; that they proposed *nothing* but *obedience* to the *laws*, *honour* to their *sovereign* and *safety* to their *country*. To these the princefs gave a favourable reception, but an indefinite answer;

because the will of *Philip* was necessary to be known on that head. They were, however, permitted to attend their own religious service, unmolested. But this concession was an incentive to fresh demands. To accede to the claims of men who are resolved on rebellion, is to give them *spirit* to oppose the government. The nobility of rank, who attended the princess, from the known poverty and reduction in fortune of those who presented the petition, named their covenant, *the league of the beggars*. This nickname, the petitioners of greatest note and all the others, according to their usual cunning, converted to their interest. They assumed such things, in their dress and utensils, as beggars use; and that circumstance augmented their number. Not a vagabond, nor thief in all the Netherlands, but was a *patriot* roaring for *liberty*, *property*, and the *constitution*.

The moment they left the princess, they declared and propagated, that she had promised the abolition of the inquisition and of the edicts of Charles the 5th against heretics; and that they should have full liberty of conscience, to serve God in their own way. For this was now the only subject of their clamour. This policy of their's was founded on a knowledge of *Philip's* pertinacious disposition; and, therefore, that no such concessions would be made. In consequence of this, they knew that they might then upbraid the dutchess with breach of promise, whose government was not disliked; and which they wished to be detested.

The Prince of *Orange* was still, in face, a zealous catholic, and of the council. He had even interest sufficient to defeat a proposition of the dutchess, to levy two thousand troops, to be sent to the assistance of the king of *France*, against his rebellious Calvinistical subjects. He foresaw that those troops, being once raised by the state, for the aid of *France*, might easily be applied to the suppression of Calvinism at home. During this time, the visible leaders of sedition kept up every mark of loyalty and zeal for their sovereign. Medals were struck, with his image on one side, and two hands united on the other, of which the inscription was, *Faithful to the King*. Those they wore: and, under the pretence of raising money wherewith to obtain from him a toleration of their religion,

religion, they acquired considerable sums, and applied them to the purchasing of arms, and the maintenance of their forces. This was done without opposition, the militia being in the hands of the Lords of the Provinces.

Advice being received, that the duke of *Alva* was coming from Spain, with a great armament, they no longer kept within the disguise of seeking liberty of conscience. They seized on towns and garrisons, and filled them with their troops. But still, suspecting their strength, in order to obtain assistance from the Lutherans of the Netherlands, and from those princes who had established Lutheranism in their dominions, they pretended to renounce Calvinism, and to become Lutherans. They then entered into covenant with the merchants, to protect them in the liberty of a *trading* conscience; and the latter, in return, obliged themselves to find money to support their rebellion. At Antwerp, they erected a consistory, chose magistrates, directed their own affairs, and, in this manner, formed themselves into a republic, different from that of the state, in which, as it has been already shewn, liberty was constitutionally established and inviolate. Such was the issue, of seeking liberty of conscience in religion, respecting civil government.

I will now explain how perfectly they coincided with their claim of that liberty, which, they pronounced to be the right of all mankind. At *St. Omer's*, *Ypres*, *Antwerp*, and other places, they broke open churches; demolished convents; stole their plate; crazed the altars; defaced the images; burnt the libraries of the bishops; put the priests to death by torture; hung up their mangled limbs in all parts, and committed all kinds of ravage and violation. Such was the toleration of those Presbyterians, who founded their rebellion on the right, that all men had, to worship God in their own way! Such are the natural consequences of indulging men to think for themselves, and to preach such doctrines, as lead to the subversion of all *religion* and *government* but *their own*! The prince of *Orange* was still in council, and the secret cause of all this barbarity. His superior hypocrisy and concealment of his practices were so great, that he was even sent to suppress the insurrection at *Antwerp*. The rabble received him with marks of joy. He

He persuaded them to suspend their violence at that time; in order to manifest his importance to the Dutchess: and, in secret, encourag'd their leaders to keep the fire of rebellion still alive, that it might blaze out with the more violence, to lay waste all that should oppose the accomplishment of his ends, at a more convenient season.

On the arrival of the Duke of *Alva*, and having refused the oath of allegiance to the King, as Duke of *Brabant*; conscious that his treason was discovered; and still steady to rebellion, *Orange* fled, to join the Calvinists in *France*. The insurrection of the rebels, in the *Netherlands*, and the inquisition were soon suppressed. But the mistaken policy of *Philip* still survived and defeated the ends of victory. For, such was the cruelty of the Duke of *Alva*, that it seemed not to be a punishment for offences against the state; but a thirst for blood and universal slaughter. The Counts *Egmont* and *Horne*, with an amazing number of others, were put to death. That lenity, in the beginning of a rebellion, which gives it vigour, is of use to extinguish it, after it is subdued: yet, not in such a manner, as to leave offenders without condign chastisement. The inhumanity of *Alva* had an effect diametrically opposite to his intention. The Prince of *Orange* was condemned, in his absence, as a rebel. His estates were confiscated, and his eldest son seized and sent to *Spain*. This conduct added new motives, and some justification to his persisting in rebellion.

William returning to *Holland*, the Presbyterians took oaths of fidelity to him. He was empowered to make laws; to dispose of all places in government; and to distribute the ecclesiastical revenues, the Roman catholic religion being suppressed. At the same time numbers of Presbyterian renegadoes, from England and from Scotland, like vultures, flocked to him, in order to revel in the carnage he was preparing to make. The states of *Holland* and *Zealand* made him their governor, and swore fidelity to him. He, in return, to continue inviolably firm to their interests. He artfully refused the name of king and exercised the power. Such was then the event of his pretensions to establish a free government.

The Duke of *Alva* being too late recalled, *William*, invited by the states and merchants of *Antwerp*, was made their

their governor, and superintendant of the finances of the province. But, acting too openly, in consequence of the union of the two preceding powers, that conduct, and his proceedings in *Holland* prematurely disclosed his intentions to become absolute. The nobility, therefore, determined to disappoint his ambition. And according to the laws of their constitution, and without the knowledge of the Prince of *Orange*, invited the Arch-duke *Matthias* to become their sovereign. The Arch-duke was so nearly arrived in the *Netherlands*, before it came to the knowledge of the Prince of *Orange* that he had been sent for, that *William*, unable to oppose his sovereignty, affected to express the greatest pleasure at the event: and by that hypocrisy gaining confidence, he was made lieutenant-governor by the states. The Arch-duke, whose mode of governing was according to the constitution of the provinces, soon perceived that democracy, and not liberty, was what the Presbyterians sought. He, therefore, after the exercise of the utmost lenity, left them, as an incorrigible race, whom no king could govern, and no God could please.

The seven provinces, now called the *United*, entered into compact, mutually to assist each other; and never to treat of peace or war, but by common consent. *Philip*, at this time, published a manifesto, in which the preceding troubles were charged on the Prince of *Orange*. He declared, that he had opposed all means of pacification; that he was an ungrateful rebel, a disturber of the public peace, an heretic, a hypocrite, a Cain, a Judas, a wicked and perjured man, the plague of Christendom, and the enemy of mankind. *William*, in return to this, published a long and recriminating apology, and read it in the assembly of the States General. He pretended to have discovered designs of poisoning him, and other ways of putting him to death: a fiction, which was adopted by *William* the Third. This apology he urged the states to sign. But, conscious of the falsehoods it contained; and of the truth of what had been objected to him by *Philip*, they absolutely refused it, and only said the Prince of *Orange* was wrongfully accused.

William, never destitute of resources, finding his designs of arbitrary power to be thoroughly discovered, and his

his interest declining, prevailed on the States to invite the Duke of *Anjou* to accept the sovereignty. The Duke complied with the invitation : and, with ten thousand horse, came to the Prince of *Orange's* aid, invested in *Cambray*, and raised the siege. This incident probably saved him from the hands of the public executioner.

The Duke of *Anjou* then entered *Antwerp* in triumph, accompanied by the Prince of *Orange*, where he was received with every mark of joy. He swore, he would religiously observe the treaty concluded with the States and the magistrates, to support the privileges of the provinces, and to govern by justice and equity. And then they took the oaths of fidelity and obedience to him, as their sovereign lord. *Orange* had still his game to play, in order to remove the Duke of *Anjou*, and to place himself in the sovereignty. With this view, he induced the Duke to attempt an arbitrary power, hoping, on that occasion, and by once more becoming the hypocrite in preserving liberty, effectually to destroy it. In consequence of this persuasion, *Anjou* pretended that attempts were made to assassinate him ; and, therefore, that troops were necessary to his preservation. And, in this disguise, he prepared to become absolute master of the provinces. But, *Anjou* being defeated in his attempt on *Antwerp* ; by treaty with the States resigned the places he had taken ; and *William*, discovered to have encouraged his designs, was obliged to escape into *Holland*. The seven united provinces declared the King of *Spain* had forfeited all title to reign over them ; commanded all people to renounce their fealty to him, and to swear it to them. The Prince of *Orange*, thus dispossessed of sovereignty by the very States by whom it had been given, retired to *Delft*, where he was soon after assassinated. Thus, after seas of blood shed in belying the principles of liberty on which he began ; discovered in all his fallacies and pretensions ; divested of that power which he had acquired over the Dutch ; detested by all parties, as he lived, he perished by the sword. On this foundation the republic of *Holland* was established. A government heterogeneous and absurd in its form and execution ; incomparably less free than that, against which they rebelled ; and which still remains in *Brabant*. A government in which the tyranny of

of riches, and the oppression, by taxes, of the poor industrious and labouring people is unexampled. It is remarkable, how similar in its progress, the rebellion in the reign of Charles the First was to this, although it were unlike it in the establishment of a tyranny in one person: and that no similitude is to be found in those particulars which Dr. Price has mentioned, but in that alone which he has omitted, the spirit of rebellion, which now actuates the *Americans*. No inference can be justly drawn from the *Netherland* revolt, in favour of the colonists. It was the interest of all Europe to see the greatness of *Philip* humbled, by being deprived of that country. It is the interest of all the *European* states, which have *West Indian* and *American* dominions, to humble our rebellious colonies. The inquisition and the cruelties of *Alva*, as much as *calvinism*, effected the separation of the seven provinces from the others. The *Flemings* were a distinct people from those of *Spain*. They had their separate and distinct rights and liberties, and *Philip* was their sovereign, not as king of *Spain*, but as duke of *Brabant*. The colonies are the same country with *Britain*, and the king is their sovereign. In all these particulars, there is a total difference, respecting the *Americans*. *Elizabeth* foolishly supported the Dutch revolt. They rewarded the English by the massacre at *Amboyna*. There is, on these accounts, no cause, from similar circumstances, to believe the *Americans* will prove successful*.

Dr. Price says, p. 91, " Let any one read the history of the war, which the *Athenians*, from a thirst of empire, made on the *Syracusans* in *Sicily*, a people derived from the same origin with them, and let him, if he can, not rejoice at the defeat of the *Athenians*." And what resemblance does he find between the *Syracusans* and the colonists, between *Athen* and *Great Britain*? Had the *Syracusans* been supported at the expence of the *Athenians*? Did they acknowledge their supreme legislature, receive salvation from their hands, renounce their allegiance, and become rebels? How ridiculous are such attempts

* *Strada*, *Bentivoglio*, *Heylin's History of the Presbyterians*, which every church of *England* man ought to read to his family once a year.

attempts to bring examples from matters totally dissimilar ! The social war, in Italy, was not undertaken to *re-
assure* the *Roman* authority, but in revenge for being denied the right of citizens. Such are the examples of the Doctor. They are either in full opposition, or nothing to his purpose.

He then continues, p. 91 : “ “ But not only in the present contest with the *Americans*, thus disgraceful to us, because inconsistent with our feelings, in similar cases, but also condemned by our practice in former times.” Whence does it arise, that to reduce rebellion is disgraceful ? and who ever had but resentful feelings, in similar cases, but similar rebels ? By what practice, in former times, is the reduction of such apostates condemned ? Let him quote his authorities ; or he foists a falsehood, in support of rebellion. He then adds : “ The colonies are persuaded, that they are fighting for liberty.” The Britons are persuaded it is for rebellion. “ We see them,” says he, “ sacrificing, to that persuasion, every private advantage.” By “ we,” he must mean Presbyterians and patriots. The true Briton sees they are ungratefully sacrificing their country to the rebellious principles of fanaticism and democracy. He then adds : “ If mistaken, and though guilty of irregularities, they should be pardoned by a people, whose ancestors have given them so many examples of similar conduct.” Then must all the felons of the kingdom be pardoned, because their ancestors have given them examples of similar conduct. What a flagitious evasion of the truth is that term, of *irregularity*, for rebellion ! But, by the people, and their ancestors, I imagine he means those, who murdered the king and subverted the state, in the reign of Charles the First. These, alone, were the ancestors of the New England men, thieves, vagabonds and out-laws excepted. Can the miseries, which those miscreants brought on this kingdom, offer a plea for pardoning these, who are now engaged in the like pursuits ?

He goes on, p. 92, “ England should venerate the attachment to liberty, amidst all its excesses ; and, instead of indignation or scorn, it would be most becoming them, in the present instance, to declare their approbation, and to say to the colonies, &c.” But the

the present instance is *rebellion*. Would it become the English to declare their approbation of it? To what excess of preposterous assertion will the spirit of *disloyalty* urge a presbyterian! And now, *I* shall, as the Doctor has done, presume to declare, what England ought to say to such subjects. We abominate your mistakes; we detest your spirit: it is this spirit that has, more than once destroyed ourselves. We aspire to no dominion over you. We understand the rights of man too well, to think of taking from you the inestimable privilege of being governed according to the constitution of the realm; and, instead of employing our power for any such purpose, we offer it to you, as a friendly and guardian power, to be a mediator in your quarrels, a protection against your enemies, and an aid to you, in preserving that plan of liberty, that has made you great and happy. In return, we ask nothing, but gratitude and contributing to pay the interest of those millions, which we raised on *ourselves*, to preserve *you* from absolute perdition. This would be a language, worthy of a brave and enlightened nation.

And now says the Doctor: "But, alas! it often happens in the *political world*, as it does in the *religious*, that the people, who cry out the most vehemently for liberty to themselves, are the most unwilling to grant it to others." Surely the devil was asleep, when the Doctor wrote that passage. Every spot on earth, where presbyterianism hath prevailed, verifies this opinion. There is now a living testimony of the truth in the conduct of those New-England men, whose rebellion the Doctor attempts to justify.

He then adds: "One of the most violent enemies of the colonies has pronounced them Mr. Locke's disciples.—Glorious title! How shameful is it to make war with them for that reason!" For whom this is intended, I know not; but this I know, that war was never made against them on that account: and that those who prate of Locke, respecting his inclination to democracy, have never examined and compared with it, what he says of the prerogative royal: or they never could, with justice, have applied him, to serve their purposes, as they have done.

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The Doctor continues, p. 93, "This war was disgraceful on account of the persuasion which led to it, and under which it has been undertaken. The general cry was, last winter, that the people of *New England* were a body of cowards, who would at once be reduced to submission, by a hostile look from our troops." This is, certainly, a plea for rebellion, that no man had hitherto devised. It seems, if rebels are cowards, it is a *disgrace* for the sovereign power to suppress them by force; and therefore, such rebels are to remain unopposed, to support the honor of the nation. To what despicable absurdities is he not driven, to justify these apostates of *New England*! Surely, such reasons are a disgrace to him who offers them. As to the imputation of their being cowards, what proof have they given to the contrary? At Lexington, they screened themselves by walls and hedges, and fled, like sheep, the moment that security was removed by our troops being able to fire upon them. At Bunker's hill, their cowardice was beyond example. From behind entrenchments; three to one of our troops; after having, from the confidence of their not being exposed to danger, either killed or wounded one half of those who attacked them; and they were, thereby, become *six to one* of the English, they, nevertheless, fled with such precipitation, that not a man, who was capable of running away, was taken prisoner. Warren, with all his influence and rhetoric, could not prevail on one of them to turn his face to our soldiers. Can there exist a greater proof of cowardice!

Even when General Howe left *Boston*, so prevalent was the spirit of cowardice, that they dared not to molest him in his embarkation; which, with all the circumspection of that gallant and able commander, must have offered them an ample occasion of attacking our troops to advantage. Hitherto, they have never dared to look our soldiers in the face: and, although they are not yet subdued, their cowardice is established beyond contradiction. Of this the patriots are so sensible, that the public papers, on all the preceding occasions, have been filled with most egregious *lies*, to countenance and misrepresent their dastardly behaviour; to mislead the common people of England; and to seduce them to their *own* destruction.

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He then adds: "The manner in which this war has been hitherto conducted, renders it still more disgraceful. English valour being thought insufficient to subdue the colonies, the laws and religion of France were established in Canada, on purpose to obtain the power of bringing from thence an army of *French Papists*." What malignant falsehood does this sentence include! In order to render the legislature odious to the common people, he has insinuated, that it was the *valour* of Englishmen that was not to be confided in. Infamous insinuation! And then, like a true presbyterian, who never adheres either to his own principles or truth, when his interest can be promoted by deserting them, he tells you, the laws and religion of *France* were established in *Canada*. They were the laws of that people when they were conquered: they are the laws established at their request. Their religion also, was the religion of the country, which, by capitulation and the treaty of peace, *Great Britain* was obliged to permit. But, when the charge, of permitting the Canadians to enjoy their *own* religion, is imputed, as criminal in the legislature, by the same man, and in the same pamphlet, who has pronounced, that "religious liberty is the power of exercising, without molestation, that mode of religion, which every man thinks best; or making the decisions of his own conscience, respecting religious truth, the rule of his conduct, and not the decisions of others;" when he tells you, that "human authority in religion, requiring conformity to particular modes of faith and worship, and superseding private judgment, is a force, that reduces men to slavery,"—what conception can be equal, in horror, to the malignant self-contradiction of this man! Is Stygian darkness an adequate comparison for the blackness of such a heart? And to what his conscience can bear resemblance, I know of no object of comparison. For to compare the conscience of one presbyterian with another, is to compare *black* with *black*. Such, however, they have been, from the day of their creeping, like maggots from a rotten carcass, to this hour; and such they will eternally remain.

But there is yet another crime, by which the legislature is become the subject of the Doctor's calumny.

“ The wild Indians and their own slaves have been instigated to attack them.” And have not the wild Indians been instigated to attack the Britons also? And now, this friend of liberty and the rights of human kind, inveighs against the giving freedom to slaves, because they are to suppress rebellion in presbyterians. Such is the practice which he would found on his four liberties. Abominable hypocrisy! Ignominious desertion of principle, to support iniquity! He then says: “ Attempts have been made to gain Russians to our assistance.” What can prohibit a state to seek assistance from her allies? But “ with like views, German troops have been hired, and the defence of our forts and garrisons trusted to their hands.” In the last war, and in the reign of George the 2d, England itself was trusted to the hands of *Hanoverian* and *Hessian Germans*; and it ought not to be forgotten that, when a Hanoverian soldier was detected in thieving, at *Maidstone*, in *Kent*, the then king himself interposed, and would not permit the justice of the laws of *England* to take place against his *German* subject.

He then says: “ These are measures which need no comment. The last of them, in particular, having been carried into execution without the consent of parliament, threatens us with imminent danger, and shews we are in the way to lose even the forms of the constitution.” Is this ignorance, or mere malignity? He knows, or ought to have known, that parliament has no right to interfere in the constitutional authority of the crown, to make treaties and to engage for military assistance. They have, indeed, a right to levy, or withhold the money with which they are to be paid, and that money has been granted. Wherein, then, has the consent of parliament been neglected? In what consists the imminent danger, of even the form of this constitution being lost? And then comes an infamous “ *If, at any time, our ministers can, without leave, not only send away the national troops, but introduce foreign troops in their room, we lie entirely at mercy, and we have every thing to dread.*” And yet, in order to effectuate the revolution, foreign troops were introduced, under the Prince of *Orange*; and, to preserve *England*, as it was

was falsely said, they were introduced in the last reign. During the war for Dutchmen, in the reigns of *William* and *Anne*, and, to support Hanover, in the last war of *George* the 2d, our troops were sent into *Flanders* and *Germany*; all which were promoted and justified by whigs and dissenters. And thus, it seems, poor old England has lain entirely at mercy, and has had every thing to dread, for almost a century. Now, Doctor, if you have any sense of shame, manifest it, by your repentance. Follow the example of that traitor Judas, the true and *only* apostle of the presbyterians; acquire reputation by your *last* act; do justice on yourself and to your country.

SECTION VI.

Of the probability of succeeding in the war with America.

LET us next consider, how far there is a possibility of succeeding in the present war," says Dr. Price. This, I believe, is an undertaking, which has never been attempted by any preceding calculator. To consider the *probability* of success may be reconcilable to common sense; but where has the Doctor found the *data*, whereon to calculate the degrees of *possibility* in human transactions? He begins his considerations with a falsehood. "*Our own people being unwilling to enlist,*"—and then adds, "our attempts to procure armies of *Russians, Indians, and Canadians* having miscarried, the utmost force we can employ, including foreigners, does not exceed, if he is rightly informed, 30,000 effective men; but let it, however, be called 40,000." But the Doctor has not been *rightly* informed: and, if he had, is there not reason to believe, he would not have represented the *true* state of things? Now, if we suppose all the preceding disappointments to be true, are they *impossibilities* not to be overcome? Are our troops incapable of being augmented by any other means, but by those which have been already taken? In this forty thousand he is much below the truth. And yet, that number is more than sufficient to subdue the American rebellion. What proof has he, that they will ever meet us in battle? "This is the force," says he, "that is to

“conquer half a million, *at least*, of determined men, fighting on their own ground, within sight of their houses and families, for that sacred blessing liberty, without which man is a beast and government a curse;” and, in a note, he tells you, “a quarter of the inhabitants are fighting men.” This being allowed, in order to make his calculation bear the semblance of veracity, every man in America must be a rebel. We shall see, hereafter, the Doctor himself is of another opinion. Should their army be defeated but in one battle, does he believe they will still persevere in rebellion? Will not their lands remain untilled, all kinds of manufactures, as far as they are capable of being performed by them, be suspended; and all the calamities, which rebellion merits, be brought upon them by their own crimes? What will the half-million do in such a case? But, it seems, they are *determined fighting men*. We have already seen, by their egregious pusillanimity at *Lexington, Bunker’s-Hill and Boston*, what is to be done by their fighting determinations; and, as to the sight of their houses and families, I apprehend, from what they have done, that the fear of *losing* the first, and what may *befall* the second will operate more strongly than their courage. But it is for “the sacred blessing liberty, without which man is a beast and government a curse.” That blessing they have constantly enjoyed, respecting Britain; whilst they have been rescinding it from their fellow-subjects, both in their civil and religious rights, in violation of their charter, by their acts of assembly; as it is manifest in the first section of the second part of this essay.

And, what is no less extraordinary, this sacred liberty, according to Dr. Price’s definitions, as it has been evinced, must inevitably reduce the human being to something less than the *beast*; annihilate all government, and diffuse the curse of anarchy, war, desolation, and murder, through all the colonies. “All history,” says he, “proves that, in such a situation, a handful is a match for millions.” How true this is likely to prove, applied to the present rebellion, the precipitate flight of *six to one*, at Bunker’s Hill, and of six ships, carrying 104 guns, and 700 men, from the Glasgow of 20 guns, and 160 men, is an irrefragable evidence.

Even

Even the slaughter they had made, from behind their entrenchments, and their thirst of shedding English blood could not retain them one minute, to look our troops in the face, after they became on equal terms respecting situation. They fled, with all the ignominious marks of cowardice. Not a man who could escape, would stay within the possibility of being taken prisoner. In these *determined fighting* men it is, that Dr. Price confides, that *America* is not *possibly* to be subdued.

Of the *Flemands*, the *Syracusans* and the others I have already spoken; and, in opposition to these, let the reduction of their rebellions in *France* be brought, to prove their efforts are not attended with success. The Doctor then says, p. 95, "Were we, therefore, capable of employing a *land* force against *America* equal to its own, there would be but little probability of success." Is it possible to conceive that, when he wrote these words he believed himself? But then he adds: "To think of conquering the whole continent with 30,000 or 40,000 men, to be transported across the Atlantic, and fed from hence, and incapable of being recruited after any defeat; this is, indeed, a folly so great, language does not afford a name for it." All this insurmountable difficulty is founded on an imaginary defeat of the British forces. But, should the contrary be the event, will the conquerors want their food from *hence*; or recruits, which cannot be sent in proper season? And, surely, to reckon, what is unlikely to be the consequence, to be the certain event; and then to stigmatize it as a folly to think otherwise, does not afford the appearance of an able head, uninfluenced by the *brute* that lives on carnage, and longs to see the standard of rebellion permanently established in a presbyterian democracy in *America*.

Dr. Price having, in this manner, with as much truth as courage, reduced our land forces to impotence, draws up his visionary artillery, to attack our naval powers. He begins, p. 96: "With respect to our naval force, could it fail at land as it does at sea, much might be done with it." Aye, marry might there, Doctor: and will be, notwithstanding it cannot fail at land. But the Doctor says, "as that is impossible, *little* or no-

“ *thing* can be done with it, which will not hurt ourselves more than the colonists.” Surely, this is a singular discovery, that, because a fleet cannot sail at land, it can do little or no hurt. In what an error have we all been ! What useless sums have been wasted in building a navy, because “ it cannot sail at land !” However, after this discovery, that expence will certainly be saved ; and the Doctor may carry the money to a *third* scheme of paying the national debt. But mind his reasons. “ Such of their maritime towns as they cannot guard against our fleets, and have not been already destroyed, they are determined either to give up to our resentment, or to destroy themselves.” And, thus, their being compelled to such necessities by our fleet, is brought as a proof, that it can do *little or no* hurt to the colonies ; and this *determined fighting half million* of heroes are *determined* not to fight, but to run away, like cowards, and leave their towns undefended. Such valour is truly formidable. And now for the inference which the Doctor draws from their determined cowardice. “ The consequence of this will be, their towns will be rebuilt, in safer situations.” And will the troops of Britain stand inertly looking on, whilst this is doing ? But then “ we shall lose some of the principal pledges,” the towns, “ by which we have, hitherto, held them in subjection.” Is it not an odd way, of losing a pledge by *keeping* it in our hands ? Thus, the impossibility, of the fleet being of any great service, is *demolished*, by shewing how that service may be effectually *accomplished*.

And now for their trade : “ As for their trade,” says he, p. 96, “ having all the necessaries and the chief conveniences of life within themselves, they have no dependence upon it, and the loss of it will do them unspeakable good, by preserving them from the evils of luxury and the temptations of wealth, and keeping them in that state of virtuous simplicity which is the greatest happiness.” Why then does the Doctor labour so strenuously to avert this unspeakable good, this virtue and greatest happiness, by shewing the impossibility and impropriety of bringing them to perfection by our armies ? This is, indeed, as cavalierly said, as any thing can be. And does the Doctor believe, that the Americans

eans are contending for that greatest happiness? He knows they cannot subsist without commerce. Their country does not produce them wool sufficient to make them stockings; to say nothing of the impracticability of maintaining their people without trade, who, in the towns, have hitherto subsisted on it. "This is, indeed, a folly," in this Doctor, "so great, that language does not afford a name for it."

And now the Doctor says, "he knows he is now speaking the sense of some of the wisest men in America. It has been long their wish, that Britain would shut up all their ports." They have obtained their wish, and may all the good they deserve attend it! Surely, there can be nothing to be dreaded from the wisdom of such sensible men. The Doctor then asserts: "They will rejoice, particularly, in the last restraining act." It is, indeed, a very particular kind of joy, which induces them to load the legislature with execration. Will they rejoice in finding their ships are taken, their arms and ammunition intercepted, and themselves reduced to impotence and misery? Heaven grant them a rejoicing of that kind, until they are brought to a proper state of humiliation, not by fasting, praying and preaching; but by *preachments* from the mouths of our cannon. Now observe how the Doctor reasons. "It might have happened, that the people would have grown weary of their agreement not to export or import; but this act will oblige them to keep their agreement, and confirm their unanimity and zeal." What? Would those sons of Mars and Bellona, those determined fighting men, who ran away in sight of their houses and families, and with Dr. Price's sacred liberty in view, have renounced their agreements, and turned rebels to rebellion, the congress? Ignominious suggestion against such intrepid and pious heroes! If their own agreement, not to export and import, would have made them weary of the war, will the prohibition of it by the legislature, and the capture of their ships make them less weary and less induced to revolt from the congress, to seek peace from Britain, and to return to their allegiance? Ah! What a reasoning head the Doctor possesses!

But this is not all the advantage the restraining act will give them. "It will also furnish them with a reason for confiscating the estates of all the friends of our government among them, and for employing their sailors, who would have been, otherwise, idle, in making reprisals on British property." And will not their rebellion furnish reasons for confiscating their estates also? Besides, the Doctor forgets himself. He has already proved, by his calculation of half a million of men being all that can bear arms against the government, that Britain can have *no* one friend in America. The rebels will then acquire as much property, by the confiscation of *no* man's estate, as Jeremy, in the comedy, says his master will acquire fat, by living on paper diet. But, it seems, they "will make reprisals on British property." Surely he imagines our men of war can no more sail on water than on land, or that these American *privateers* will be armed with such determined fighting men, that they will vanquish our navy. How admirably will they be enabled to fit out such ships, when they have either burnt the sea-ports, or left them to the resentment of our land forces!

These, however, are not all the advantages which the restraining act will give them. A plague on the short-sightedness of parliament, to give so great a cause of rejoicing in one act, to such rebels! "Their ships, before useless, and consisting of many hundreds, will be turned into ships of war, and all that attention, which they have hitherto confined to trade, will be employed in fitting out a naval force, for their own defence," to run away like *Hopkins*. — *Without sea-ports* and, consequently, without ships, unless their ships can sail at land: to say nothing of their being certainly seized wherever they are found, and our men of war vigilant and active to destroy them, should they have any to equip. What a naval force will they then possess! However, the Doctor says, "this way they will be the sooner prepared for their becoming much sooner than they would otherwise have been, a great maritime power." — By the way of having neither ships nor ports. And then he says: "This act of parliament, therefore, crowns the folly of our late measures." And the Doctor's visionary suggestions, in
this

this proof, of their increasing power by being deprived of it, crown the folly of his observations. He then says, "None who know him can believe him to be disposed to "superstition." But, certainly, all who know him must believe him vehemently disposed to *falsification* and *folly*. Were the Doctor himself, and all the teachers, preachers, presbyterians, independents, and other sectaries, which are, and have so long been the pest of *Britain*, to swear that Dr. Price believes what he has said, there cannot be a jury of twelve sensible and honest men to be found in *England*, who would give a verdict on such evidence. I except that of his *friend* Priestley, as incompetent and inadmissible, from his *disbelief* of the *soul's* being *immortal*.

And now for a true stroke of the old *fanatic canting*. "Perhaps, however," he says, "he is not, in the present instance, free from this weakness" (superstition)—From that of falsehood, at least, he has proved he is *not*. "He fancies he sees something that cannot be accounted for merely by human ignorance." I am of the same mind; or the Doctor's *ignorance* would have reached it. And is not *ignorance* a special quality to apply to for *information*? He is "inclined to think the hand of providence is in them, working to bring about some great ends." The *hand* of providence in *them*? In what manner can that *hand* be metaphorically in *them*? Is it moulding their hearts to ingratitude and rebellion? This is, hitherto, the only effect that has been produced. And is it not an impious suggestion, that the Deity can be interested in such nefarious deeds? "But, this leads him to one consideration more, which he, cannot help offering to the public, and which appears to him in the highest degree important."

"In this hour of tremendous danger, it would become us to turn our thoughts to heaven." Had the Doctor's thoughts been that way turned, could he have published such egregious falsehoods? Horrid cant of hypocritical mischief! "This is what," says he, p. 98, "our brethren"—*your* brethren, Doctor, not *ours*—"in the colonies are doing, from one end of *North America* to the other. They are *fasting* and *praying*." God grant them enough of *both*, particularly of the former! And for what do they *fast* and *pray*? For success in a most

most unnatural rebellion; and in shedding the blood of those by whom they have been preserved from absolute perdition. For the obtaining of this, they have the impudence to implore the God of justice and of mercy. What an abominable prostitution of *prayer* and *fasting* in them! What an infamous approbation of it in Dr. Price! And then he asks, "What are we doing? We are ridiculing them, as *fanatics*, and scoffing at religion." In fact, they should be execrated, as abominable and impious hypocrites, who thus presume to approach their God. Are ridicule and scoffing the returns which such impieties and presumption to impose on the Omniscient deserve? Are these the proper stigmas for such impostors? Besides these, he says, "We are running wild after pleasure, at masquerades, gambling, trafficking for boroughs, perjuring ourselves at elections, selling ourselves for places. Which side, then, is Providence likely to favour?" Why, in truth, I think neither one of them. But, of the two, culpable as the latter is, that of mocking the Deity, by prayers for success in rebellion and bloodshed is the worst. And I will risk my life, that Dr. Price will sincerely *pray*, that all the *sins* and *enormities* of this kingdom may be tripled, rather than that, by our *reformation*, *praying* and *fasting*, God should be prevailed on to suppress the American rebellion.

And now for a comparison between *Old* and *New England*. "In America," says he, "we see a number of states, in the vigour of youth, inspired by the noblest of all passions, the passion of being free, and animated by piety." The Doctor mistakes: it is the passion of REBELLION, and they are animated by impiety. "Here," says he, "we see an old state, great but inflated and irreligious, incumbered with debts, and hanging by a thread." Our religion will be, undoubtedly, much mended, by the introduction of his friend Priestley's *disbelief* of the soul's immortality; and our debts were contracted for the preservation of the American ingrates. And as to our "hanging by a thread," God grant the Americans may so hang, provided the *thread* be *strong* enough. "Can any one look without pain to the issue?" Yes, Doctor, you can, and will if the Americans should prevail over the arms of Britain.

"May

" May we not expect calamities, that shall recover to
 " *reflexion* (perhaps to *devotion*) our libertines and
 " *atheists*"—and *unbelievers* in the *immortality of the soul*.
 And will not such calamities be blessings in the end,
 and, therefore, to be wished by a *teacher of salvation*?

He then adds: " Is *our* cause such as gives us reason
 " to ask God to bless it?" No, indeed: *yours*, the pres-
 byterian cause, can give no reason to ask God to bless it:
 although you have the effrontery to *fast* and *pray* for the
 success of a cause so execrable. " Can *we*," says he,
 " in the face of heaven, declare, that we are not the
 " aggressors in this war, and that we mean by it, not to
 " acquire, or even preserve dominion for our own sake;
 " not conquest, or empire, or the gratification of re-
 " sentment, but solely to deliver ourselves from oppres-
 " sion, to gain reparation for injury, and to defend our-
 " selves from, who would plunder or kill us." In-
 deed, by *us*, if he means *himself*, the *rebels* and
 their confederates, they cannot, but with impiety, in the
 face of heaven declare, that they are not the aggressors.
 But the legislature can, in every exceptionable instance
 he hath named. And then he adds: " Remember rea-
 " der, whoever thou art, that there are no other just
 " causes of war, and that blood spilled, with any other
 " views, must, some time or other, be accounted for."
 Then is the war of Britain against her colonists fully jus-
 tified, by the latter being the aggressors; and, for the
 blood that is spilled, they will be accountable, in which
 number Dr. Price is inevitably included, as a prompter
 and promoter of that bloodshed.

And now, he " begs leave to recapitulate some of the
 " arguments"—he must mean assertions—" he has used,
 " and to deliver the feelings of his heart, in a brief, but
 " honest address to his countrymen." P. 99, he says,
 he is " hearing it continually urged, are they not our
 " subjects? The plain answer is, they are not your sub-
 " jects: they are your *fellow-subjects*." This is true;
 and all the legislature is engaged in is, to keep them *fel-
 low* subjects, by assisting with their money their fellow-
 subjects of England. " But we are taxed," says he, " and
 " why should not they be taxed? You are taxed by your-
 " selves: they insist on the same privilege." They have
 that

that privilege. The House of Commons is as much the representative of them as of us. "They are taxed to support their own government, and they help, also, to pay your taxes, by purchasing your manufactures and giving you a monopoly of their trade." But we are taxed to support our own and *their* governments, and pay taxes on the manufactures we use; and, as to their giving a monopoly of their trade, he knows it is false, both in the giving and the monopoly, as it has been already proved*. "Must they maintain two governments?" They have never maintained *one*; for the truth of which, I appeal to the millions levied on this kingdom, for their support and salvation. "Must they submit to be *triple* taxed?" No; but to be taxed like Englishmen. "Has your moderation in taxing yourselves been such, as encourages them to trust you with the power of taxing them?" No, indeed, Doctor. Those taxes were laid on in former reigns, by Whigs, with the unanimous assistance of the Dissenters; and, I confess, that would be no great encouragement to trust the parliament, did the like men now represent the subjects of Great Britain. But, as the Americans trusted them, and obeyed their acts, they may more safely trust, at present, those who have paid off millions; and by whom no tax has been raised since the peace, until the parliament was compelled to it by the rebellion in *America*. But the power of taxation is not with them to trust. It is the indisputable right of the British legislature.

But," says he, "they will not obey the parliament and the laws.—Say, rather, they will not obey *your* parliament and your laws." It has been proved, that the parliament is as much *theirs* as *ours*, and that they have obeyed its laws, and acknowledged the right of making them. "Their reason is, they have no voice in your parliament." They have the same voice with all the people of Great Britain, by representatives, which are alike both theirs and ours. "They have no share in making your laws: neither have most of us." This is false in the assertion, and the answer. The laws are made by those, who represent every subject in the dominions

* *Vide* answer to Burke's speech.

nions of Great Britain.—“ Then you, so far, want liberty : and your language is, we are not free, why “ will they be free ? ” No Englishman hath ever said he was not free ; the Doctor hath asserted they are. How then can they want what they possess, or he ask so ridiculous a question as the preceding ? “ But many of “ you have a voice in parliament : none of them have.” They are all entitled to have such voices, equally with Englishmen, and may, therefore, have them, as many of their countrymen have had, and Cruger now has. “ All your freehold land is represented ; but not a foot “ of their land represented.” The representation of land is a new representation. But, in the sense he means, it is false. Not an inch of the freehold land in the city of London is represented. The holders of it have no votes ; and all the copyhold land in the kingdom is in the same predicament. And yet they are equally represented, and so are the Americans. “ At worst, therefore, you can be “ enslaved but *partially*—they would be enslaved *totally*.” The whole subjects being equally represented, must all be equally free or equally enslaved. “ They are governed by “ parliaments chosen by themselves, and by legislatures “ similar to yours.” All the towns incorporated by charter have just the same parliaments and legislatures, subordnate to the supreme legislature. “ Will you disturb them in the enjoyment of a blessing so invaluable ? ” No. But we will oblige them to continue, as they should be, by charter and the constitution, subject to the supreme legislature.

“ Is it reasonable, that your discretion alone, shall be “ their law ; that they shall have no constitution of government, except such as you shall be pleased to give “ them, and no property, but such as your parliament “ shall be pleased to leave them ? ” The discretion of their and our representatives, is that alone to which both *they* and *we* must trust. We and they have the same constitution of government. In both cases, it is alterable by parliament, unless the act, that makes it lawful to settle the crown on whom the parliament may please, be inobligatory, which, I imagine, he will not assert. They have the same right to their property that we have to ours ; and neither of them can be touched, but according

eording to the exigencies of the state. He then asks,
 "What is your parliament?" It is the supreme legisla-
 ture, against which the Americans are in rebellion, and
 which rebellion Dr. Price is attempting to justify. His an-
 swer, is, "powerful indeed and respectable:" of neither
 of which there is any instance to be found, by the atro-
 cious calumnies which the Doctor has promulged in his
 observations with impunity. "But is there not a grow-
 ing intercourse between it and the court?" No. It
 was full grown when his Majesty ascended the throne.
 It had been amply fed by whigs and presbyterians.
 "Does it awe our ministers of state as it once did?" Full
 as much as it has done since *Old Glorious* was made King
 of England. "Instead of contending for a controuling
 power over America, should you not think more of
 watching and reforming your own?" The rebellion
 has prevented us. When that is quelled, the other may
 be undertaken. "Suppose the worst. Suppose that, in
 opposition to all their declarations, the colonists are
 now aiming at independence;—there is no need of a
 suppose; they have publickly declared it:—"If they can
 subsist without you, is it to be wondered at?" Not at
 all; nor that we will keep them dependent, whom we
 have preserved, at the expence of millions, as fellow sub-
 jects, to contribute to the national exigencies. "Did
 there ever exist a community, or even an individual,
 that would not do the same?" Never, if they were
 presbyterians. "If they cannot subsist without you,
 let them alone; they will soon come back." Is it
 customary to leave rebels alone, and to trust to their
 coming back? "If you cannot subsist without them,
 reclaim them by kindness, engage them by moderation
 and equity." These have been already tried, without
 effect. "It is madness to resolve to butcher them."
 There is no such resolution. Let them lay down their
 arms, and acknowledge, as they ever have done before
 their rebellion, the authority of parliament, and they
 will be pardoned. "This will make them detest and
 avoid you for ever." The former they have always done,
 and the latter will be prevented. "Freemen are not to
 be governed by force, or to be dragooned into com-
 pliance." Experience hath proved, that there is no
 other

other method to be taken with rebels and dissenters. "If capable of bearing to be so treated, it is a disgrace to be connected with them." True, Doctor; but they must be brought to *repentance* or the *disgrace* will be greater.

I shall pass, unremarked, the *ifs* and *supposes* of the two subsequent paragraphs, truly confessing, that the proceedings of the *East India* company's servants have been as *execrable* in the East Indies, as the government of Britain has been *mild* in *America*. And I shall only remark on the last paragraph of the Doctor's section.

"With respect to the colonists," says he, "it would be folly to pretend they were faultless. They were running into all our vices." What? A people animated by piety running into vices! The Doctor forgets. But the fact is, their piety is the most *enormous* vice. "But this quarrel gives them a salutary check." The event will mend them, I have no doubt. Has the Doctor an objection to that? Then he says, "It may be permitted, on purpose to favour them, and in them the rest of mankind, by making way for the establishment, in an extensive country, possessed of every advantage, a plan of government and a growing power, that shall astonish the world, and under which every subject of human enquiry shall be open to free discussion, and the friends of liberty, in every quarter of the globe, find a safe retreat for civil and spiritual liberty."

If Dr. Price be the legislator, I have shewn what kind of liberties they will have, both civil and spiritual. If the same spirit remains, that ever has possessed, and now possesses the men of New England, tyranny, both civil and spiritual, will be perfectly established. As to the Doctor's brethren in America, they will have ample reason to implore forgiveness, for *they know not what they are doing*. And thus ends the last section of his observations, filled with the most ridiculous and absurd suggestions of malignity, hypocrisy, and misrepresentation, that can be well conceived; in which not one word is offered, that can prove the *improbability*, much less the *impossibility* of *our succeeding in the war with America*.

I come now to the Doctor's conclusion, which contains a plan of reconciliation between Great Britain and her

her colonies. He begins: "Meet the colonies on their own ground, in their last petition from the Congress to the King, the surest as well as the most dignified mode of proceeding for this country." Can the dignity of a great kingdom be contained in that mode, which would treat with rebels, on equal terms, who have constituted a new government? But how was this to be done? The Doctor tells you. "Suspend all hostilities. Repeal the acts which immediately oppress *America*: namely the restraining act, the charter act, &c."—That is, in plain English, renounce the legislative authority, and let rebellion succeed without opposition and with impunity. The very proposition shews the absurdity of the design. It is needless therefore either to examine or refute it. As to his *appendix* respecting the national debt, and the means of discharging it; his calculations are founded on supposititious *data*, they are fallacious and fall of themselves.

I have now finished my examination of Dr. Price's principles of government, and definitions of liberty, as well as of his other sections. I have shewn his falsehoods, misrepresentations, and ignorance; his hypocritical cant, his futile declamation, his malignity to the constitution of his country, and his zeal to justify and support rebellion. His observations are thereby brought to the test of reason and equity, the public is to decide between us.

P O S T S C R I P T.

May 6, 1776. General *Arnold*, the horse-jockey of the *old light*, and General *Worster*, carrier of the *new light*, together with several thousands of Dr. Price's determined fighting rebels, fled from before Quebec, at the approach of General *Carleton*, and a much inferior number of his Majesty's faithful subjects of Great Britain and Canada. Such was their determination, not to fight, that they left behind them all their artillery, military stores, &c. together with, what they love much better than battle, their salt pork and molasses boiling over the fire. Thus after all their fasting and praying, and boasting of providence being on their side, as Dr. Price also irreligiously suggests, their attempts to subdue Canada and Quebec, have concluded in a most ignominious act of cowardice and flight.

A P P E N D I X.

Observations on the excellent and admirable in Mr. Burke's printed speech, of the 22d of March, 1775.

Ecce iterum crispinus.

WHEN the answer to Mr. Burke's first printed speech was advertised; and before it was published, it was reported by his friends, that the answer should have a *regular refutation*. But, on its being printed, it was thought more expedient to decline that intention. As, in my answer to that speech, it was said, *he will print no more speeches*; from thence the idea was taken of publishing his second oration, of the 22d of March 1775, at once to shew the prediction to be false; and to produce the full effect of a refutation to what I had written on the former. It was to exhibit so perfect a piece of rhetoric and reason, that whatever might be deemed defective in the former must be, for the future, ascribed to that rapidity of genius, which sometimes, like a whirlwind in its passage, bears every thing along with it in tumult and confusion. From the amazing perfection of this second speech, it is, as I imagine, Dr. Price has bestowed upon it the pompous epithets of *excellent* and *admirable*, in a note, p. 72.

But, as the Doctor has given no proofs of its containing this *excellent* and *admirable*; I shall take this occasion to adduce such evidence of the truth of these distinguished qualities, as will, I doubt not, fully evince, that it is not only *excellent* and *admirable* in its way; but unparalleled by all preceding orators. For Mr. Burke, as he says of trade, can only *be compared with himself*.

In the exordium to his former speech, Edmund Burke, esq; was full five lines before he flounced into the *excellent* and *admirable* of the *profund*. By close application to that study, he has, in his second oration, given such ample demonstrations of his great improvement in the art of *sinking*, that he undoubtedly stands an unrivalled master. He opens his mouth, and his first words send forth an absurdity. "I hope, sir," says he, "that, notwithstanding the *austerity* of the *chair*, your good nature will incline you to some degree of indul-

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"gence towards human frailty." Thus, by *protopopæia*, he first gives person to the chair, and makes *that*, and the *speaker*, two different things; like two pots of porter, one *stale*, and the other *mild*. The chair may, indeed, *figuratively* mean the speaker; but it cannot at once be two things, both chair and speaker. The humble hope of an indulgence, however, towards human frailty was certainly not unnecessary: since no orator has afforded a more ample field for the exertion of it. *Excellent* and *admirable* in the propriety of an *exordium* to such an harangue, and in the preservation of the metaphor.

In p. 4, he tells us, "he has no good opinion of paper government, nor of any politics in which the plan is to be wholly separated from the execution." Does not this paper government seem somewhat unintelligible? if the plan of a house, for example, or of any thing else, upon paper, be one thing; and the execution of the building be another, then must all plans and executions be inevitably separated. Of such things, however, Mr. Burke has no notion. But if the *plan* and the *execution* be the same: that is, if the *plan* upon paper be at once the *plan* and the *house*; or the building, when erected, be both the *house* and the *plan* upon paper, then, it seems, Mr. Burke has a notion of it. I do not deny, although I cannot conceive the *excellent* and *admirable* in Mr. Burke's notions.

Page 7, he says, "When such a one is disarmed, he is wholly at the mercy of his superior, and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power." Thus, the man that has lost, for ever, all time and chance, has, nevertheless, not lost either time or chance; because they must happen to him, unless peradventure Mr. Burke's man be not one of all men. And, thus, he still retains the strength and resources which he had lost, although he be disarmed and wholly at the mercy of another. *Excellent* and *admirable* in comprehending the ideas, in the precision which his words convey, and in the no blunder.

In p. 7 and 8, he reckons, "in America there are two millions of people, of our own European blood and colour." Is Europe all our own, or are all the Europeans Britons and Hibernians? "There is no reason," says he, "to exaggerate, where plain truth is of so much weight and importance.—Whilst we are discussing any given magnitude, they are grown to it." *Discussing a magnitude!* new, refined and sublime! "he continues: whilst we spend our time in the mode of governing two millions, we shall find we have millions more to govern." Falstaff's buckram men!

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now mind how easily this *plain truth* without exaggeration, may be proved. Let it be supposed, that the discussing of this subject took up six months, or one session of parliament. Two millions of inhabitants, during that time, must become *four* millions; for no addition of *millions* can be less than two. These are the various ways, in which this *plain truth* may be explained. First, let it be *only* supposed, that one half of the present two millions are females; and then let it be supposed that every female, from a day old to the woman of the greatest age in America, be brought to bed of twins in six months, the thing is done as plain as a *pike-staff*. But, it seems, there are some wrong-headed people, who are not of that subtlety of understanding in propagation, plain truth, no exaggeration, and America, which Mr. Burke enjoys; and these cannot conceive how girls, not arrived at the age of breeding, and old women, who are past it, can have children. That objection is easily removed. Suppose then one half of the million of females to be breeders, and each, in six months, to have *four* children at a birth; or let each of them have *twins twice*, in that time, or be brought to bed, of one child, *four* times in six months. By either of these modes of procreation, the two millions must infallibly be produced. What a variety of ways here are by which this plain truth may be effected! *excellent* and *admirable* in *plain truth* without exaggeration!

He then talks of "*minima* out of the eye of the law, and "a *mass* of the *feelings* of the human race." *Excellent* and *admirable* in refinement of language, and a *lumpish* sensibility! page 8, he says, "This ground," of the American commerce, "indeed, has been trod some days ago, and with "great ability, by a distinguished person." He has, indeed, an amazing ability of legs. *Excellent* and *admirable* in the metaphor of treading commerce under foot, to express the knowledge of it!

In p. 9, he tell us, "the export trade to the colonies consists of three great branches: the African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian and the North American. These are so interwoven, that the attempt to separate them would tear to pieces the texture of the whole, and, if not entirely destroy, would very much depreciate the value of all the parts." He, therefore, "considers these three denominations to be, what in effect they are, one trade. But it so happens, that the trade to Africa and the West Indies still continues, although that to the colonies has been some time suspended. They
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are, on that account, to be separated, without tearing the contexture to pieces, and are, therefore, in effect, *not* one trade.

He then states the difference in the exports to the antecedent parts of the globe, as it stood in 1704 and 1772.

Exports to North America and the West Indies, } in 1704.	483,265
To Africa.	86,665

£ 569,930

Exports to North America and the West Indies, } in 1772.	4,791,734
To Africa.	866,398
From Scotland to the above parts.	364,000

£ 6,024,171

“ From five hundred and odd thousand,” says he, “ it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself, at these two periods, within this century, and this is matter for meditation.” But this is not all. “ Examine his second account. See how the export trade, to the colonies alone, in 1772, stood in the other point of view, that is, to the whole trade of England 1704.”

The whole export trade of England, including } that to the colonies, in 1704.	6,509,000
The export trade to the colonies alone, in 1772.	6,024,000

Difference £ 485,000

“ The trade with America, alone, is now within less than 500,000*l.* of what this great commercial nation, England, carried on at the beginning of this century, with the whole world.” But the first matter for meditation is, that the exports to Africa and the West Indies ought to be deducted from the 6,509,000*l.* because those exports are, visibly, not so closely connected with those of the continental colonies, as not to be continued without the other. Besides this, there is a manifest fallacy in his stating the exports. He ought not to have compared the colony trade of 1772 with the whole exports to all parts of the world, as it stood in 1704, but as it stood comparatively with all our exports in 1772, that the whole increase of our national commerce might have been fairly

fairly seen, and the comparison made between that of the colonies and of all the rest.

As I have nothing that can authentically declare the state of our trade, either to the American colonies, or to all parts of the world, as it stood in 1772, I shall take the liberty of shewing, from an undoubted authority, how it stood in 1764. This will, probably, be as sufficient to explain all I would say, as the state of it in 1772: at least, allowances may be easily made for the increase, as it stands in Mr. Burke's account.

Exports to all parts of the world, in 1764.	16,260,894
To Africa and all the plantations.	4,182,245

So that the colony trade, instead of being within 500,000*l.* equal to the whole trade of England, consisted but of little more than the *fourth* part of our trade; and, when the exports to the colonies now in rebellion, which then amounted to 2,610,821*l.* are compared with the total of the exports of that year, they will be found to amount to little more than a sixth part of our whole trade. And this is the state, in which every man unintending to deceive should have placed them.

But there remains another, and perhaps the only true way of comparing the commerce of England, which is according to the ballance either for or against us.

The general ballance in favour of England, in 1764.	6,179,868
Ballance in favour of England, on the trade to all the colonies,	50,159

Or about the 120th part of the gross amount of gain to England on the whole trade of that year.

From the year 1714 to 1775, being 61 years, supposing, in the most favourable view, that every year hath yielded a ballance in our favour of 50,159*l.* the whole gain by that trade, in that time, will be then 3,059,699*l.* and, during the time of acquiring that advantage, the legislature of the realm hath granted to the Americans, now in rebellion, 34,696,867*l.* which is eleven times as much as the national gain arising from that trade. These *millions* are now a debt, for which I will suppose the interest to be but 3 *per cent.* the people of England, therefore, annually pay, in taxes for the preceding sum, 1,040,906*l.* which is, annually, twenty times as much as the national profit by the colony trade; and to this expence might be fairly added the sums expended in

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forts, garrisons, &c. on the coast of Africa and the sugar islands, to say nothing of the 70,000,000*l.* debt, incurred by the last war. Such was the state of the West Indian and American trade in 1764. If it had increased to the 6,074,171 in 1772, as Mr. Burke has stated it, then the annual ballance in favour of England would have been about 85,000*l.* and that will then be the proportion of profit to the 1,040,906*l.* paid as interest, and which is annually raised on the people of England.

" This, therefore, is the relative proportion of the importance of the colonies, and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a reasoning weak, rotten and sophistical." But, as sugars and other West Indian commodities are now considered as the necessities of life, the islands must be preserved; together with the Spanish and Portuguese settlements in South America: or we must suffer in all our exports. And, as this cannot be effected, but by preserving the right of the supreme legislature over the continental colonies; and equity calls aloud on that sovereignty to ease the people of England, by extending taxation over those fellow subjects, for whose preservation the English have raised and paid the interest of so many millions, their rebellion must be subdued. He then adds: " it is good for us to be here. We stand where we have an immense view of what *is* and what *is* *past*. Clouds and darkness rest upon the future." In his first printed speech, he heard things *past* hearing. In the answer to that speech, it was said, that all his senses were equally acute. He has now verified that assertion, respecting vision. He *sees* things *out* of sight. *Excellent* and *admirable* in exquisiteness of sense, and the *no* blunder. However, he does not presume to be a conjuror, and to look into what is to *come*; he only *sees* things that are *past* seeing.

In p. 11, among the wonders lord Bathurst lived to see, he makes one of them to be, that " he should live to see his son " lord chancellor of England." *Excellent* and *admirable* in *panegyric*! that this son, also, should " turn back the current " of dignity to its fountain, and raise his father to a higher " rank of peerage, whilst he enriched the family with a new " one." The fountain of dignity is the king. Did the lord chancellor turn back the current of hereditary dignity to the king? Why then he turned that current *back* which never came *forward* to him; lord Bathurst being then alive. Had that nobleman resigned his higher peerage to his son, or had the *current* of hereditary *dignity* come forward in that manner? No; his lordship held it to the day of his death, nor could

could he resign it otherwise. But, it seems, Mr. Burke's turning back a current of hereditary dignity, is no more, than that lord Bathurst, on his son's being made lord chancellor, was, at the request of the latter, made an *earl* from a *baron*; and this is Mr. Burke's current of dignity turned back that never came forward, and when it came forward, could not be turned back. Excellent and admirable in perspicuity of stile, possibility of being accomplished, and the no blunder!

In p. 13, speaking of the whale fishery by the New England men, he says, "While we follow them among the tumbling mountains of ice and penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Streights; whilst we are looking for them *beneath* the polar circle, we hear they have pierced into the opposite region of polar cold: they are at the Antipodes," — the devil they are — and engaged under the frozen serpent of the south." Mountains of ice vaulting somersaults, like tumblers at Sadler's Wells; ships, sailing into the impassable recesses of frozen seas, and under the polar circle, which is under the ice; winter at the same time, at both the poles; finding a north west passage, by piercing through the frozen seas, round to the southern region of polar cold; under a frozen constellation of fixed stars, supposed to be so many suns all fire. Excellent and admirable in the knowledge of navigation, geography, astronomy, whale fishing, the sublime, the beautiful, and the no blunder!

He then talks of Falkland's islands, as an object "too romantic for the grasp of national ambition." The romanticness of a grasp by the hand, and that grasp an island! excellent and admirable in propriety of language and preservation of metaphor! "Nor," says he, "is the equinoctial heat more discouraging than the accumulated winters of both the poles." The winter of both poles, at the same time, one heaped upon the other, like Pelion upon Ossa, or the Americans at both poles, at the same time, feeling the two colds! "We know," says he, "whilst some of them draw the line and strike the harpoon," — the cart before the horse — "others run the longitude, and pursue their gigantic game along the coast of Brazil." A new kind of hunting a new game, and of running the longitude where they ran the latitude, the coast of Brazil lying northerly and southerly! excellent and admirable in a second exhibition of his knowledge in geography, navigation, whale hunting, and the no blunder!

In p. 15, he says, "in the character of the Americans, a love of freedom is the predominating feature, which marks

"and distinguishes the whole." A *passion* at the heart is a *feature* in the face! may not a *wrinkle* in their *backsides* be as much a *feature* in the face as love? *excellent* and *admirable* in the knowledge of physiognomy and the *no* blunder! In p. 17, he talks of "a *monopoly* of theorems and corollaries." *Excellent* and *admirable* in a *sole* trade of a new kind of merchandize!

Page 17, he says, "The Americans are protestants, and of that kind which is most averse to all implicit *submission* of mind and obedience." And then he adds, "he does not think, that this averseness, in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history;" and yet, he says, "they are of that kind of *religion* which is most averse to all submission of mind and opinion." *Excellent* and *admirable* in uniformity of opinion! page 20, he says of the attorney of America, "They *augur* misgovernment at a distance, and *snuff* the approach of tyranny in every tainted breeze." By which these attorneys are at once *diviners* of future events, and *jack asses*, snuffing the tainted breeze of the female. *Excellent* and *admirable* in the figurative, sublime and beautiful!

He then subjoins: "You have, indeed, winged ministers of vengeance, who carry your balls in their *pounces* to the remotest verge of the sea." Thus, our ships of war have *legs* as well as *wings*, and the cannon balls are thunderbolts, which they carry in their *pounces*, like painted eagles, flying through the air with the thunder of Jupiter. *Excellent* and *admirable* in the sublime, beautiful and propriety of metaphor! speaking of the Sultan, he says, "even despotism itself is obliged to *truck* and *buckster*." *Excellent* and *admirable* in propriety of expression.

Page 21, he talks of "monsters generated from unnatural contention." It was formerly from unnatural *coition*. *Excellent* and *admirable* in a new mode of generation!

He then tells us, p. 23, "there are but three ways of proceeding relative to this stubborn spirit which prevails in our colonies.—To change the spirit, as inconvenient, by removing the causes;—to prosecute it, as criminal,—or to comply with it, as necessary." He then says, p. 24, "to change the spirit, as inconvenient, it is radical in its principle, but attended with difficulties little short of *impossibilities*." *Excellent* and *admirable* in his powers of planning the means of reconciling the colonies and Great Britain, by means almost impossible.

Page 24, in speaking of population, he says, "The crown not only withheld its grants, but *annihilated* its soil. If this be the case, this *avarice of desolation*, this *boarding of a royal wilderness* would be to raise," &c. This prerogative royal of *annihilating the soil* in America, already carried into execution, as this great orator asserts, threatens more mischief to *poor old England*, than all the rest. Why did not this amazing patriot, instead of conciliatory plans, bring a bill into the house to restrain that tremendous prerogative, before it reach this kingdom? should this *avarice of desolation*, this *boarding of wildernesses* in his majesty go on as they have begun, the people will not have one *bit of desolation or wilderness* left: to what a miserable condition will they be then reduced. Ah! what a king we have, that will keep such *blessings* from his people! *the toast now is desolation and wilderness for ever, and a halter to those who oppose it.* Excellent and admirable in intelligibility, propriety and preservation of metaphor! he tells us, "The Americans have already topped the Apalachian mountains." Excellent and admirable in the very *tip top* of the sublime. "They will become hordes of *English Tartars*,"—born in America. Excellent and admirable in the *no blunder*!—"and, pouring down upon your unfortified frontiers, a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and of all the slaves that adhere to them." Quart pot, pint pot, half pint, nipperkin, and the brown bowl. Mere dragons of Wantley!

And at one sup
They'll eat them up,
As a man would eat an apple.

Excellent and admirable in the *terribly* sublime, and the beautiful amplification of the *no ridiculous*!—P. 25, he talks of "*hedging in population*."—As they hedge in a *cuckoo*, I warrant ye. Excellent and admirable in the metaphoric!—P. 27, he says, "An offer of freedom would come rather oddly, shipped to them in an African vessel, which is *refused* an entry into the *ports* of Virginia or Carolina." Shipping of offers, is, I fancy, a new species of merchandize; and arriving at Virginia and Carolina, by being *refused* entrance into their ports, is a new way of gaining admission. Excellent and admirable in the invention of a new species of trade! a new method of getting into palaces and the *no blunder*. He then says, "Let us suppose all these moral difficulties got over. The ocean remains. You cannot pump that dry; and so
" long

"long as it continues in its present bed, so long all the causes which weaken authority by distance will continue." *Excellent and admirable* in the *pumping* an ocean, and in conceiving that, if the ocean were pumped dry, the *distance* between Great Britain and the colonies would become *less*! p. 29, he says, "We are, indeed, in all disputes with the colonies, by the *necessity* of things, the judges. It is true. But he confesses, the character of a judge in his own cause is a thing that frightens him." It is not his own cause, it is a cause between Great Britain and America, and he is neither a Briton nor American. He says, however, he "cannot proceed with a stern, assured, judicial confidence, until he finds himself in something more like a judicial character." He will never proceed then. But whence is it necessary that a judge should have a stern, assured confidence? why not a merciful and impartial confidence? *Excellent and admirable* in knowing his own cause, in distinguishing the characteristics of a judge, and in the relaxation of confidence!

He then says, p. 29, "let him add too, that the opinion of his having some abstract right in his favour would not put him much at his ease in passing sentence, unless he could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs and the most vexatious of all injustice." This *abstract* right of being a judge, he tells you, "is the *necessity* of things;" and he will not pass sentence, unless he could be sure that *rights* can not be *wrongs* in any case whatever, which seems to be attended with no great difficulty in the decision. *Excellent and admirable* in perspicuity and definite ideas. He then adds: "These considerations have a great weight with him, when he finds things so circumstanced, that he sees the same party," the colonies, "at once a litigant against him, in a point of right." *Him*, the five hundred and fifty-eighth part of the house of commons! the *litigation* against him, the *rebellion* against the legislature! the point of right, *that to rebel*, of which he states himself as sole judge! the same party is, at the same time, he says, "a culprit before him, while he sits a criminal judge on acts of him, whose moral character is to be decided upon the merits of that very obligation." A very criminal judge indeed! as he does not know who he is, and hesitates to discharge his duty, where he is by *necessity* the judge. *Excellent and admirable* in so modestly characterizing his own greatness!

Page 30, he says, "if you mean to please any people, you must give them the *boon* which they ask, not what *you* may think

" think *better* for them, but of a kind *totally* different. Such
 " an act may be a wise regulation, but it is no concession ;
 " whereas our present theme is the mode of giving satisfacti-
 " on." The house of commons are to give what is *asked*,
 and not what is proper ; but of a kind *totally* different : and
 to prefer a foolish concession to a wise regulation, in order to
 give satisfaction to rebels. *Excellent and admirable* in legis-
 lative knowledge !

He then adds : " he thinks they must perceive, that he is
 " resolved this day to have nothing to do with the question of
 " the right of taxation. Some gentlemen startle ; but it is
 " true. He puts it *totally* out of the question." Could the
 gentlemen do less than startle, when, in his preceding print-
 ed speech, he plumes himself on being a *minister* in forming
 the explanatory act, which declares the legislature has a power
 over the colonies in all cases whatever ? *Excellent and admi-
 rable* in consistency and modest assurance ! which is improved
 by his immediately saying, " it is *less* than *nothing* in his
 " consideration." *Excellent and admirable* in conception of ideas
 and the *no* blunder. Page 31, he says, " This *point* is the great
 " *Sorbonian bog* between mount *Cassius* old and *Damiana*, where ar-
 " mies whole have sunk." A *bog* of a *point*, that swallowed whole
 armies ! *excellent and admirable* in just conception ! but then he
 adds, " he does not intend to be overwhelmed in that *bog*,
 " though in such respectable company." My life on him for
 his skill in *bogtrotting*. *Excellent and admirable* in perfectly
 distinguishing his talents !

Page 35, he says, " he is sure he shall not be misled, when,
 " in a case of constitutional difficulty, he consults the genius
 " of the English constitution. Consulting *at* that oracle (it
 " was with all due humility and piety) he found four capital
 " examples, in a similar case, before him : those of Ireland,
 " Wales, Chester and Durham." These are examples in
 support of his third plan : " to comply with the stubborn
 " spirit which prevails in the colonies, and disturbs the go-
 " vernment." Let us now see how well he was founded by
 an answer to his humble devotion, in consulting *at* that oracle,
 and whether he ought to be *sure* he was not *misled*.

Page 36, he says, " The benefit of English laws and li-
 " berties, he confesses, was not, at first, extended to *all* Ire-
 " land. Mark the consequence. English authority and Eng-
 " lish liberties had exactly the same boundaries. Your
 " standard could never be advanced an inch before your li-
 " berties. Sir John Davis shews, beyond a doubt, that the
 " refusal of a general communication of these rights was the
 " true cause why Ireland was five hundred years in sub-
 " duing."

“ duing.” Through the whole of Sir John Davis, there is no instance in which the *standard* did not *precede* the laws and liberties of England: so far were the latter from gaining ground and preceding the conquest of Ireland. But let Sir John Davis speak for himself. Page 107, “ The English lords, finding the *Irish* exactions to be more profitable than the English rents and services, and *loving* the *Irish* tyranny, which was tyed to no rules of *law* and *honour*, better than a *just* and *lawful* seignory, did *reject* and *cast off* the English *law* and *government*, revived the *Irish* laws and customs, took Irish surnames, as *Mac William*, *Mac Phenis*, *Mac Yoris*, refused to come to the parliaments which were summoned by the king of England’s authority, and scorned to obey those English knights which were sent to command and govern this kingdom.” Here the *laws* followed the *standard*, when the English *first* subdued the parts of Ireland which their descendants possessed. These kicked out *law*, *liberty*, and *honour*, and took tyranny and *Irish* laws and customs. At this time, had English authority and English liberty exactly the same boundaries? Were not the laws deposed and the standard still erect? Again Sir John Davis tells us, p. 115, “ But when the civil government grew so weak and so loose, as that the English lords would not suffer the English laws to be put in execution within their territories and seignories, but, in place thereof, both they and their people embraced the Irish customs, then the estate of things, *like a game at Irish*, was so turned about, as that the English, which hoped to make a perfect conquest of the Irish, were by them perfectly and absolutely conquered.” Here again, the laws and liberties of England were kicked out, and Irish tyranny received by the English lords. Were the boundaries of English authority and liberty then exactly the same?

To avoid a multiplicity of passages to the same purpose, I refer the decision to p. 53. “ Whereupon, the multitude, who ever loved to be followers of such as could master and defend them, admiring the power of the crown of England, being braied, as it were, in a mortar, with the *sword*, *famine* and *pestilence*, altogether submitted themselves to the English government, received our laws and magistrates, and most gladly embraced the king’s (James the 1st) pardon and peace in all parts of the realm, with demonstration of joy and comfort, which made, indeed, an entire, perfect, and final conquest of Ireland.” Has not Sir John Davis now shewn, that it *was* the English arms, and *not* the English constitution that conquered Ireland? certainly Mr.
Burke

Burke was misled in consulting the genius of our constitution, at the oracle. And thus, in bringing an example that *concession* is better than *force*, he has unluckily adduced *that* of his own country, to prove that, without force, the laws and government of England had never been established in it. And this is the fact; Ireland being first conquered in the reign of Elizabeth, and the laws and liberties first established in that kingdom in the time of James the 1st. *Excellent and admirable* in knowing the history of his own country, faithfulness of assertion, and bringing *an example*, as evidence in proof of his proposition, which makes directly against it!

Let us now see how he succeeds in his second example, of Wales. He says, p. 37, "Wales was not looked upon as any part of the realm of England. It was a form of government of a very singular kind; a strange, heterogeneous monster, something between hostility and government." And thus this government, being between these two, was a government between *itself* and no government. In fact, the Welch being denied the rights and privileges of Englishmen, refused to obey the laws of England, until they had received a legislative grant of those rights. This appears from the preamble of that act which is mentioned in the next page of his speech, 27 Hen. 8, ch. 6. That his "said country, or dominion of Wales shall be, stand and continue, for ever from *henceforth*, incorporated, united and annexed to, and with his realm of England; and that all and singular person and persons, born or to be born in the same principality, country or dominion of Wales, shall have, enjoy and inherit all and singular freedoms, liberties, rights, privileges and laws, within this realm and other the king's dominions, as other the king's subjects, naturally born with in the same, have, enjoy and inherit." Does history relate a conquest of Wales posterior to that by Edward the 1st? Were the private quarrels, between the lords of the Marches and the Welch of the parts adjoining these Marches, a war between England and Wales?

Hence it is manifest that, previous to this act, the Welch were considered as a conquered country, unentitled to the rights of Englishmen; and therefore they considered themselves in the right of disobeying the legislature. Did the laws in the reign of Henry the 8th accompany the standard of Edward the 1st? Did not force subdue them to receive the laws and liberties of England? What similitude can Mr. Burke find, between the Welch and the colonists, respecting this kingdom? The latter are not the conquered subjects of Great Britain, they are fellow subjects, have been fostered, supported

ed and saved by our arms and money: they now are, and ever have been possessed of all the rights, liberties and privileges of Englishmen. Surely, then, the legislature had a right to make laws for the colonies, to which legislature they are subject, and none over the Welch, until that principality was annexed to the realm of England. All that he says, therefore, respecting the exertions of parliament over the colonies, as being worse than those of the king, before the principality was annexed to England, is nothing to the purpose. However, he says, "When the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation, on the subject of Wales. Here we rub our hands." Elegantly expressed, as a mark of approbation. "A fine body of precedents for the authority of parliament and the use of it! he admits it fully: and pray add likewise to these precedents, that, all the while, Wales rid this kingdom like an *Incubus*!"—what? did Wales, all this while, keep England from moving hand and foot? In what history does he find it, and that it "was an unprofitable and oppressive burden?" Are the colonies such a burthen? He then tells us, "the march of the human mind is slow." Very slow, indeed, Mr. Burke!—He continues: "it was not till after two hundred years discovered, that, by an eternal law, providence had decreed vexation to violence, and poverty to rapine!" that *eternal* law has been some time at an *end* then; for the nabobs, the violators and plunderers of the innocent East Indians, do not seem to be either *vexed* or *poor*. I fancy, the march of Mr. Burke's mind is too slow, to have reached that discovery. "However," he says, "our ancestors did, at length, open their eyes to the ill husbandry of injustice."—They were all blind puppies before that time.—"And then," according to his phrase, "they were better husbands" of injustice. "They found the tyranny of a free people would, of all tyrannies, the least be endured, and that laws made against a whole nation were not the most effectual methods for securing its obedience. In the 27th year of Henry the 8th," he says, "the course was entirely altered, by an act. It gave to the Welch all the rights and privileges of English subjects; but that a right to English liberties, and yet no share in the fundamental security of these liberties, the grant of their own property, seemed so incongruous, that, eight years after, a complete and not ill-proportioned representation, by counties and boroughs, was bestowed upon Wales, by act of parliament." In this place, Mr. Burke exposes his want of knowledge, or suppresses the truth. In the 20th article

article of the first act, it is said, that, "for this present parliament, and for all other parliaments, to be holden and kept for this realm, one knight shall be chosen and elected to the same parliaments, for every of the shires of Brecknock, &c. and for every other shire within the said county of Wales, and for every borough, being a shire town;" and the act of the 34th and 35th is no more than a division of Wales into twelve counties, instead of eight, which till then they had been, and a liberty to the new made counties to send members like the old; and this, at the humble suit and petition of the Welch, as the preamble expresses it. The Welch were a conquered country.—The colonies planted by the English, and part of our own.—The Welch were denied the laws, rights, liberties and privileges of Englishmen.—The colonists have constantly enjoyed them all.—The Welch had no representatives in parliament, being another country.—The colonists have, and ever had as many as Great Britain, the countries being the same. What inference can be drawn from an example, which has no analogy with that to which it is applied? Such is the issue of his second example. However, he concludes most excellently and admirably: "When the day-star of the English constitution had arisen in their hearts, all was harmony within." Oh, what an instance of the sublime and beautiful! the *day-star* of a constitution! aye, and a *star* rising in the *heart*, not bringing light, but harmony, with the tune of a noble race was Shenkin, I warrant you. *Excellentissimo! Admirabilissimo!*

I shall now examine his third example, of Chester. And on this he says, p. 39. "The people of Chester applied to parliament, in a petition penned as he shall read to the house:" and thus, this example of *likeness* sets out with 2 *dissimilarity*, irreconcilable with the case of the colonies, which have not only not petitioned for members; but the congress have declared they will send none.—And then he read the petition to parliament, beginning, "To the king, our sovereign lord, in most humble wise shewn unto your excellent Majesty," &c.—Excellent and admirable in discovering that a petition to the king is a petition to parliament. It began, "that whereas the said county palatine of Chester is and hath been hitherto exempt, excluded and separated out from your high court of parliament, to have any knights and burgesses within the same court, by reason whereof, the said inhabitants have hitherto sustained manifold dissensions, losses and damages, as well in their lands, goods and bodies, as in the good, civil, politic government and maintenance of the common wealth of their
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“ said county ; and for as much as the inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said highness and your most noble progenitors, by authority of the said court, as far forth as other counties, cities and boroughs have been, that have their knights and burgeses within your said court of parliament, and yet have had neither knight nor burges for the said county palatine,” &c. On this account they petition to have members. After a small excursion into the sublime, he says, “ Here is my third example.” Let us see how the cases tally between Chester and the colonies. 1st, The petition proves that Chester had sent no members to *parliament*, since the commons were first established, until the 35th of Henry the 8th, and yet that it was subject to all the laws of parliament, equally with those who sent members. Will that serve the colonists as a justification, in refusing to obey that legislature, which, till now, they have always obeyed, although they sent no members to parliament ? 2d, Will the petition of Chester, to have members, serve the colonists, to justify rebellion, who have resolved to have none ? Where lies the use of this example ? *Excellent* and *admirable* in bringing such evidence to confirm his assertions, as render it entirely useless for any man to attempt to refute them !

And now for his fourth example, of Durham. “ This,” he says, “ had long lain out of the pale of legislation. So scrupulously was the example of Chester followed, that the stile of the preamble is nearly the same with that of the Chester act.” Let us see how excellently and admirably he understands *stile*. Let me transcribe the preamble. “ Whereas the inhabitants of the county palatine of Durham have not, hitherto, had the liberty and privilege of electing and sending any knights and burgeses to the high court of parliament, although the inhabitants of the said county palatine are liable to all payments, rates and subsidies, granted by parliament, equally with the inhabitants of other counties, cities and boroughs in this kingdom, to have knights and burgeses in the said high court of parliament, of their own election, to represent the condition of their county, as the inhabitants of other counties, cities and boroughs have. Wherefore, may it please your Majesty,” &c.

In the preceding page, he calls the Chester petition, “ an audacious address.” Is there any thing of the audacious in this of Durham ? How then are the stiles of these two preambles nearly the same ? Such are his four examples. In the first and second, he mistakes the *effect* for the *cause*, and abso-

absolutely refutes the intention for which they were adduced. The third and fourth, Chester and Durham, prove, that a county may be taxed for several centuries, without sending members to parliament; that the legislature taxed these counties during that time; and that both these counties had members granted them, in consequence of their petitions: so that, instead of being examples of support, they are proofs that overthrow all that he would establish. The *religious* Joseph Priestley, also, in the face of these acts of parliament, asserts most roundly, in his address to the protestant dissenters, p. 10, that "Wales also, and several *counties palatine* taxed themselves, without any controul from the parliament of "England." Is it the love of truth or of rebellion, that prompted him to that falsehood?

Mr. Burke then says, p. 40, "Now, if the doctrines of "policy contained in these preambles, and the force of these "examples, in the acts of parliament, avail any thing, "what can be said against applying them with regard to "America?" Nothing can be said: and, by this application, they are to be taxed without sending members, until they petition the legislative power to have them granted.

He then asks: "Are not the people of *America* as much "*Englishmen* as the Welch?" Yes, and more so than the *Irish*. And what then? why, he says, "the preamble of the "act of Henry the 8th says, the Welch speak a language no "way resembling that of his Majesty's *English* subjects;" and then he asks, "Are the Americans not as numerous?" What analogy does he find between language and the numerousness of a people? Let the Americans petition to send members, like the Welch, and, if they are denied, let them complain.

He continues, p. 41, "You will now, perhaps, imagine, "that I am on the point of proposing to you a scheme for a "representation of the colonies in parliament." Who, indeed, could have thought otherwise, from his examples? not a bit. He tells you, "a great flood stops" him in his course: "*opposit natura*. He cannot remove the eternal barriers of "the creation. The thing, in that mode, he does not "know to be possible." Is the Atlantic ocean the great flood that stops him in his course, is that the eternal barrier of the creation, which, because Mr. Burke cannot remove it, will prevent the coming of ships from America, if they bring members to parliament? Is that the impossibility? He then says, "he only wishes the house to recognize, for the theory, the ancient "constitutional policy of this kingdom, with regard to representation, as that policy has been declared in acts of parliament." Those acts declare, that the people of England who do

not send members to parliament are as much represented as those who do, and they were taxed accordingly. Witness the Chester and Durham acts. That was the ancient constitutional policy, let it be recognized, respecting America; and, "as to the practice," says he, "to return to that mode, which an uniform experience has marked out to them as best, and in which they walked with security, advantage and honour, until the year 1763." That practice was, to tax the Americans by the British legislatures, which is the object of contention by the Americans; and, thus, the commons, whom he reprobates, *do* exactly what he proposes. However, after having travelled home to Ireland, to Wales, to Chester, and to Durham, and brought back such matters as turn his journeys into ridicule, and refute his propositions, he tells you, his "resolutions, therefore, mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition*." That is, to give up to rebels the legislative authority of this realm; an authority which, "in our administration," as he speaks, respecting the time he was clerk to lord Rockingham, was pronounced in the explanatory act to be "a power which this kingdom ought of right to have, to make laws and statutes to bind the colonies and the Americans, in all cases whatever." Such being the whirlings of Mr. Burke's opinions, and the constitutional right of the parliament to tax America being to be abolished were his resolution carried into act, the position being *itself* refuted, the absurdities of his conciliatory propositions consequently fall to the ground, and, therefore, no farther notice shall be taken of them. *Excellent* and *admirable* in consistency of opinion and the means of bringing rebels to obedience, by granting all they ask.

Page 44, he comes to speak of the competence of the colonies to raise their own supplies. "This competency," says he, "in the colonies assembled is certain. It is proved by the whole tenour of their acts of supply in all the assemblies, in which the constant title of granting is, *an aid to his Majesty*." But the dispute is not concerning the competency of the colonies to grant, but the authority which the legislature has to tax them, and, in the end, this competency will be found to be applied to nothing but themselves. And now for the testimonies of this competency; it is, that the money they advanced was repaid by parliament, in several instances which he cites. He then says, "Here is the repeated acknowledgement of parliament, that the colonies not only gave, but gave to satiety." They gave that which they petitioned to have returned, and had it.

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"This nation," saith he, "hath acknowledged two things. First, that the colonies had gone *beyond* their abilities." I believe he is mistaken. It is a nation in a *neighbouring* island that has *acknowledged*, that the colonies have gone *further* than they are *able to go*. This is, indeed, a pretty precedent, on which to found the resolutions of Mr. Burke, to permit them to raise their proportionable supplies, on the expectation of being reimbursed by England! We see," says he, "the sense of the crown and the sense of parliament, "on the productive nature of a revenue by grant,"—which is to be repaid by England. "Now," he exults, "search "the same journals for a produce of the revenue of imposition." The journals of parliament can afford no proof of any money raised in America, they afford only proofs of the sums which have been repaid them by this nation; and methinks Mr. Burke should not have referred his readers to books, which cannot contain the particulars to which he refers. The journals of the house, however, mention the amazing sums which have been repaid and granted to the colonies, and the acts by which they were taxed. But how can they mention what was transacted in the American assemblies? Even in England, although the taxes laid may be seen in the journals, the revenues they produced must be known in the treasury. *Excellent* and *admirable* in consistency of opinion, knowledge in parliamentary affairs, and in producing a reconciliation, by granting to rebels all they ask.

Page 52, he seems sensible that his example of Chester refutes his intention of adducing it. He, therefore, says, "The object of grievance he has not taken from the Chester, "but from the Durham act, which confines the hardships "of want of representation to the case of subsidies, and "which, therefore, falls in exactly with the case of the "colonies." The Durham act expressly says, "the knights "and burghesses are *to represent the condition of their country*;" and in no instance does this act confine the hardship of want of representation to the case of subsidies. *Excellent* and *admirable* in understanding what he reads, or in candid quotation!

I shall here conclude my observations on the *excellent* and *admirable* in Mr. Burke's second printed speech. I am, however, apprehensive, at the same time, that his friends may accuse me of doing him injustice, in exhibiting so few instances of his peculiar *excellence* and *admirableness* in the preceding qualities. In answer to this, I aver, that every paragraph in that *excellent* and *admirable* oration will afford the

the like instances of his superior powers of rhetoric. And that I verily believe that no orator either hath equalled, or ever will equal him, in all that is excellent and admirable, in those peculiar talents by which he is so pre-eminently distinguished.

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